

**Report to Chief Officer (Highways and Transportation)**

**Date: 18 December 2018**

**Subject: Request to waive Contract Procedure Rule 15.2 to reduce the price element of the evaluation for the West Yorkshire UTMC Common Database tender.**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**Summary of main issues**

1. The Urban Traffic Management and Control (UTMC) sections across West Yorkshire (WY) are being combined into a single WY UTMC centre as part of a wider project to create a centre for excellence. There are three main elements of the WY UTMC project, of which one is the joining of all WY districts existing UTMC systems into two distinct systems, an Urban Traffic Control (UTC) system and a Common Database (CDB) system. This report relates to the Common Database system.
2. The delivery of a single WY UTMC CDB system poses many challenges, not least the integration of the existing data from each WY partner (comprising Wakefield Council, Kirklees Council, City of Bradford Council and Leeds City Council (also on behalf of Calderdale Council)). It is important that the chosen system as a result of the current procurement exercise enables the most efficient integration of the data to ensure that the service can continue to be provided as seamlessly as possible.
3. An OJEU tender is currently being undertaken for the WY UTMC CDB system. The UTMC CDB system provides a multitude of functions and it is essential that the system performs each of those functions well. It is likely that more than one available system will be able to perform the various specified functionality to at least the very basic level and so it is important that the quality weighting of the tender evaluation can be increased to improve the

chances of selecting a system that allows the WY UTMC section to deliver the best service possible over the proposed 10 year contract period.

#### 4. Recommendations

4.1 The Chief Officer (Highways and Transportation) is requested to:

- i) approve the waiver of Contract Procedure Rule 15.2 and reduce the price element of the evaluation of the WY UTMC CDB system tender from 40% to 30%.

### 1. Purpose of this report

1.1 This report sets out the reasons for recommending that the Chief Officer (Highways and Transportation) approves the waiver of Contract Procedure Rule 15.2 to reduce the price element of the evaluation of the WY UTMC CDB system tender from 40% to 30%.

### 2 Background information

2.1 The UTMC sections across WY are being combined into a single WY UTMC centre as part of a wider project to create a centre for excellence. There are three main elements of the WY UTMC Project:

- 1) Joining all WY districts UTMC systems – This involves joining two sets of systems. The first system is the UTC system that provides the functionality of controlling and monitoring the traffic signals. The second is the CDB system that provides more strategic functionality such as enabling automated strategies to be developed and driving the Variable Message Signs (VMS) managing car park guidance systems, managing faults and providing a platform for journey time monitoring and air quality monitoring data;
- 2) Undertaking of on-street improvements to UTC equipment/installations on Key Route Network corridors in WY; and
- 3) Re-organising the existing UTMC teams in WY into a single cross-region WY UTMC centre.

2.2 This report focuses on the first of the three elements and, specifically, the UTMC CDB system. A single, hosted, system will allow better cross-boundary management of traffic. Following the current procurement exercise, the new contract will also facilitate improvements to the current systems that will increase the effectiveness of the UTMC service across WY. The new system will provide interoperability and enhancements beyond the existing separate WY UTMC systems.

2.3 Reports have been presented to executive boards of each WY partner including Leeds City Council (LCC) where the establishment of a joint WY UTMC service has been approved in principle, subject to the outcome of the consideration of the Outline Business Case by the West Yorkshire Combined Authority. The funding of the capital programme will be provided by the West Yorkshire Combined Authority and the five West Yorkshire local authorities will provide the revenue funding, as discussed at project board for approval.

### **3 Main Issues**

#### **3.1 Reasons for Contracts Procedure Rules Waiver**

3.1.1 The delivery of a single WY UTMC CDB system poses many challenges, not least the integration of the existing data from each WY partner. It is important that the chosen system enables the most efficient integration of the data to ensure that the service can continue to be provided as seamlessly as possible.

3.1.2 The UTMC CDB system provides a multitude of functions and it is essential that the system performs each of those functions well. It is likely that more than one available system will be able to perform the various specified functionality to at least the very basic level and so it is important that the quality weighting of the tender evaluation is increased from 60% to 70% (and the price weighting reduced from 40% to 30%) to improve the chances of selecting a high-quality system that allows the WY UTMC section to deliver the best service possible over the proposed 10 year contract period.

#### **3.2 Consequence if the proposed action is not approved**

3.2.1 LCC is currently undertaking an OJEU tender to select a supplier for the CDB system and is in the early stages of considering the most appropriate price-quality weightings for this tender. In any procurement exercise the successful bid should be the one which offers the most economically advantageous balance between quality and price. The supplier best suited to deliver the CDB system has not yet been selected. Tender evaluation is expected to be completed in March 2019 and the contract awarded to the winning supplier in June/July 2019.

### **4 Corporate Considerations**

#### **4.1 Consultation and Engagement**

4.1.1 The WY UTMC teams have confirmed their need for this contract to be available to deliver their service.

4.1.2 Reports have been presented to executive boards of each WY partner including LCC where the establishment of a joint West Yorkshire UTMC service has been approved in principle, subject to the outcome of the consideration of the Outline Business Case by the Combined Authority. The funding of the capital programme will be provided by the Combined Authority and the five West Yorkshire authorities will provide the revenue funding, as discussed at project board for approval.

4.1.3 Highways and Transportation officers have been consulted.

#### **4.2 Equality and Diversity/Cohesion and Integration**

4.2.1 The proposals have an impact on equality characteristics and, as such, an equality, diversity, cohesion and integration screening has been undertaken (see Appendix A).

### 4.3 Council Policies and City Priorities

4.3.1 The WY UTMC CDB System Contract, once awarded to the winning supplier, will enable the current separate systems to be joined into a single, hosted, system. The CDB system will incorporate operational enhancements that help to deliver the Best Council Plan 21<sup>st</sup>-Century Infrastructure aspiration.

### 4.4 Resources and value for money

4.4.1 The tender for the WY UTMC CDB System will follow the full OJEU procurement process to ensure best value for money.

4.4.2 The new, single, system will enable resources across West Yorkshire to be utilised more efficiently.

4.4.3 The new system will provide interoperability and enhancements beyond the existing separate WY UTMC systems.

### 4.5 Legal Implications, Access to Information and Call In

4.5.1 This decision is a Significant Operational Decision which is not subject to Call In.

4.5.2 Contract Procedure Rule 15.2 states that the price element of evaluation will always be 40% or greater and that any decision to waive this rule must be justified in the circumstances. The alternative price weighting of 30% proposed for the evaluation of the WY UTMC CDB System has been justified for the reasons set out in this report, specifically paragraph 3.1.2. There is no overriding legal obstacle preventing the waiver of Contract Procedure Rule 15.2. The proposal presents Best Value for money as even though a reduction in the price ratio for tender evaluation has been proposed, it is expected that a high quality system will be provided which will deliver the full objectives of the specification. In making the final decision, the Chief Officer (Highways and Transportation) should be satisfied that the course of action chosen represents Best Value for money for LCC.

### 4.6 Risk Management

4.6.1 A soft market test has been undertaken to inform the expected contract values. The soft market test demonstrated that suppliers understood the need for a high quality bid over low prices and the risk of reducing the price element of the evaluation is considered low.

## 5 Conclusions

5.1 The delivery of a single WY UTMC CDB system poses many challenges, not least the integration of the existing data from each WY partner. It is important that the chosen system enables the most efficient integration of the data to ensure that the service can continue to be provided as seamlessly as possible. The contract period is expected to be 10 years and so it is important the system allows the WY UTMC section to deliver the best possible service throughout the duration of the contract.

5.2 It is for these reasons that it is important the highest quality and most suitable system is selected.

## **6 Recommendations**

- 6.1 The Chief Officer (Highways and Transportation) is recommended to:
- i) approve the waiver of Contract Procedure Rule 15.2 and reduce the price element of the evaluation of the WY UTMC CDB system tender from 40% to 30%.

## **7 Background documents**

- 7.1 None.

## Equality, Diversity, Cohesion and Integration Screening

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- The relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- Whether or not it is necessary to carry out an impact assessment.

<b>Directorate: City Development</b>	<b>Service area: Highways and Transportation</b>
<b>Lead person: Joel Dodsworth</b>	<b>Contact number: 3788128</b>

**1. Title:** Report to seek a waiver of Contract Procedure Rule 15.2 to reduce the price element of the evaluation for the West Yorkshire UTMC Common Database contract.

Is this a:

**Strategy / Policy**

**Service / Function**

**Other**

**If other, please specify**

### 2. Please provide a brief description of what you are screening

The screening process relates to the waiver of procurement rules to reduce the price weighting from 40% to 30% in the evaluation of the UTMC CDB contract.

### 3. Relevance to equality, diversity, cohesion and integration

All the council's strategies/policies, services/functions affect service users, employees or the wider community – city wide or more local. These will also have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, carers, disability, gender reassignment, race, religion or belief, sex, sexual orientation and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background and education or skills levels).

Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?	X	
Have there been or likely to be any public concerns about the policy or proposal?		X
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?		X
Could the proposal affect our workforce or employment practices?		X
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>		X

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity; cohesion and integration within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity, cohesion and integration within your proposal please go to **section 5**.

#### 4. Considering the impact on equality, diversity, cohesion and integration

If you can demonstrate you have considered how your proposals impact on equality, diversity, cohesion and integration you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity, cohesion and integration?** (**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The provision of bus priority at new locations will help to reduce bus journey times and make them more reliable. This will have a positive impact on bus users.

- **Key findings** (**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

The provision of a more reliable bus service will help to encourage modal shift. Increased modal shift will attract investment in bus services which will have a positive impact on citizens who rely on public transport.

- **Actions**

**(think about** how you will promote positive impact and remove/ reduce negative impact)

The positive impact will be promoted by ensuring bus priority is configured correctly. Any negative impacts to general traffic will be minimised by ensuring that the system is optimised.

**5.** If you are **not** already considering the impact on equality, diversity, cohesion and integration you **will need to carry out an impact assessment.**

Date to scope and plan your impact assessment:	
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Date to complete your impact assessment	
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Lead person for your impact assessment (Include name and job title)	
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**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date
Joel Dodsworth	UTMC Manager	6/12/2018

**7. Publishing**

This screening document will act as evidence that due regard to equality and diversity has been given. If you are not carrying out an independent impact assessment the screening document will need to be published.

Please send a copy to the Equality Team for publishing

<b>Date screening completed</b>	6/12/2018
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<b>Date sent to Equality Team</b>	
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<b>Date published</b>	
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(To be completed by the Equality Team)