



**Report to: Chief Officer Highways and Transportation**

**Date: 24 September 2019**

**Subject: Noise Insulation Contract 2020-2022 - Authority to Tender**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input 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

### 1. Main issues

- This report seeks the approval of the Chief Officer (Highways and Transportation) to tender the Noise Insulation Contract 2020-2022.
- The Noise Insulation Contract is used to install noise insulation measures to properties in West Yorkshire which have been affected by an increase in noise pollution as a result of highway works.
- The current Noise Insulation Contract expires on the 30<sup>th</sup> November 2019 and there is a need to re-procure the contract.

### 2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- An important part of the Best Council Plan is to provide sustainable infrastructure across Leeds. In some locations highway schemes although improving transport connections, safety and reliability of the highway network, can as a consequence also result in an increase in noise levels to some adjacent properties.
- This contract is used to offer local residents, noise reduction measures to mitigate this in appropriate circumstances.

### 3. Resource Implications

- The Finance Team have confirmed that funding will be authorised from the capital budget of each respective scheme as and when required.

### Recommendations

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

- a) approve the request to tender the Noise Insulation Contract 2020-22 (Extendable to 2024);
- b) approve the proposal to issue an open tender via the Yortender system; and
- c) approve an evaluation split of 60% quality and 40% price.

#### 1. Purpose of this report

- 1.1 The purpose of this report is to inform the Chief Officer (Highways and Transportation) of the requirement to tender the Noise Insulation Contract 2020-22.

#### 2. Background information

- 2.1 The Environmental Studies Team currently use this contract to install noise insulation measures to eligible properties in West Yorkshire which have been affected by an increase in noise pollution as a result of the construction of nearby new or upgraded highway schemes.
- 2.2 To date £492,000 has been spent on works instructed through this contract between 2015 and 2019.

#### 3. Main issues

- 3.1 The existing Noise Insulation Contract expires on the 30<sup>th</sup> November this year and there is a continuing requirement for this work to be provided by Leeds City Council and therefore a new contract needs to be procured.

#### 4. Procurement Options

- 4.1 **Do Nothing** – Not an option as the current contract is due to expire in November 2019 and as the provision for this work is required across the Yorkshire Highway Alliance area, a contract must be secured for this area of spend. This contract would ensure no off contract spend in this area.
- 4.2 **Internal Service Provider** The internal service provider has been approached for this work in line with CPR 3.1.4, however due to the specialist nature of this work and requirement potentially region wide the internal service provider could not support this type of work.
- 4.3 **Waive Contract Procedure Rules** - Whilst it is possible to seek a waiver of the contracts procedure rules, however this approach could leave the Council open to a potential challenge from other providers, to whom the contract could be of interest,

that the procurement rules has been breached and therefore, this option is not recommended.

- 4.4 **Existing Frameworks** - Existing framework have been investigated to ascertain if any provision currently exists. There are 2 frameworks, 1 of which relates to glazing works and companies. The other framework relates to glazing, however the companies included in this framework are mainly general building contractors. The specification requires sound reducing windows, doors and possibly ventilation systems if required due to sealed widows that may be used. Therefore none of the frameworks available could support this specification requirement fully. Using either of the frameworks could possibly lead to a lack of interest in the works due to the specification, specialism of the work and the sporadic volume of works across the area. The incumbent contractor is not included on any of the frameworks checked and for a transparent and fair tender process and ideally they should be included in any new tender option.
- 4.5 **Leeds City Council Open Tender (Recommended)** – This route would provide an opportunity to test the market through a competitive exercise. A bespoke specification, pricing documents and a robust evaluation process to determine a value for money contractor. This tender would be open to allow the maximum number of interested contractors to tender for the contract and carry out a standardised pre-qualification questionnaire (PAS91). Any supplier successful with the PAS91 would then have the tender submission scored on a price (40%) and quality (60%) criteria. This route would allow the incumbent supplier to tender for the new contract and would allow Leeds City Council to ensure a contractor was appointed that covered all aspects of the specification required.

## 5 Corporate considerations

### 5.1 Consultation and engagement

- 5.1.1 The Environmental Studies Team have confirmed their need for this contract to be available to deliver their service.
- 5.1.2 Consultation has taken place with the Finance team who confirm that funding will be authorised from the capital budget of each respective scheme as and when required.

### 5.2 Equality and diversity / cohesion and integration

- 5.2.1 Due consideration will take place as part of the procurement process and it is currently not applicable for an Equality, Diversity, Cohesion and Integration screening/impact assessment to be undertaken at this time.

### 5.3 Council policies and the Best Council Plan

- 5.3.1 The proposed tender of this contract will provide an efficient method of procuring a contractor to install noise insulation measures to properties adversely affected by highway schemes.

5.3.2 In line with the collaborative working aims of the Council this contract will be available for other Councils in the Yorkshire Highway Alliance to access it if required.

#### Climate Emergency

5.3.3 Tenderers will be made aware of Leeds City Councils Climate Emergency agenda and will need to recognise this in their tender submission.

#### **5.4 Resources, procurement and value for money**

5.4.1 The proposal to invite tenders for a new contract is judged to be value for money compared to inviting companies to submit quotations for packages of works.

#### **5.5 Legal implications, access to information, and call-in**

5.5.1 There are no specific legal implications arising from this report. All activities relating to the procurement will be executed strictly in accordance with the Council's Contract Procedure Rules.

#### **5.6 Risk management**

5.6.1 Should the contract not be awarded, then the Council would have to obtain individual quotations each time they needed to carry out noise insulation works which would use up valuable Council resources

### **6 Conclusions**

6.1 The tender of this Contract is an efficient method of procuring Noise Insulation Works which is a service essential to the operating of the Environmental Studies Team.

### **7 Recommendations**

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

- a) The request to tender the Noise Insulation Contract 2020-22 (Extendable to 2024);
- b) approve the proposal to issue an open tender via the Yortender system; and
- c) approve an evaluation split of 60% quality and 40% price.

### **8 Background documents<sup>1</sup>**

8.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.