

Approval to Tender - Highway Fencing Maintenance 2021

Date: August 2021

Report to: Chief Officer (Highways & Transportation)

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

What is this report about?

Including how it contributes to the city's and council's ambitions

- This report seeks the approval of the Chief Officer (Highways and Transportation) to tender for the Highway Fencing Maintenance 2021 Contract.
- The Highway Fencing Maintenance Contract has proved to be an ideal method for Highways and Transportation to deliver and maintain its vehicular restraint barriers and parapet fencing throughout the City.
- The current Highway Fencing Maintenance Contract expires on the 31st October 2021. We are required to re-tender for the contract as there are no extensions remaining.
- The proposed tender of this contract will provide an efficient method of procuring highway fencing maintenance, including pedestrian guardrails maintenance for the Council and the Yorkshire Highway Alliance.
- The contract's proposed start date is the 1st November 2021 and will run for a two-year period with the option to extend for a further two years, with each supplier having the opportunity to amend their rates if an extension is offered.
- The recommended approach is consistent with the aims contained within the Council's Spending Money Wisely Policy.
- Maintaining highway fencing and guardrails is vital to the safety of road users and pedestrians. Providing a safe highway is integral to building Sustainable Infrastructure as part of the Best Council plan.

Recommendations

- a) The Chief Officer (Highway and Transportation) is requested to approve the request to tender the Highway Fencing Maintenance 2021 contract.

Why is the proposal being put forward?

- 1 The purpose of this report is to inform the Chief Officer (Highways & Transportation) of the requirement to tender the Highway Fencing Maintenance 2021 Contract and gain approval to tender.
- 2 The current Highway Fencing Maintenance Contract expires on the 31st October 2021. We are required to re-tender the contract as it is not possible to extend the existing contract further under the provisions therein.
- 3 Alongside the highway fencing items, we have included a number of additional pedestrian guardrails items in the pricing schedule.

- 4 The decision to include the additional pedestrian guardrails items comes after the previous Supply of Pedestrian Guardrails Contract expired on 22nd January 2019.
- 5 The contract was not retendered due to only small quantities (obtained via quotes) being required to maintain existing stock, in line with the Council's Policy to reduce street furniture which reduced the demand for guardrails.
- 6 The expiration of the Highway Fencing Maintenance Contract has provided an opportunity to include additional pedestrian guardrail items due to the similarities of the contracts and cross over of materials.
- 7 Highway fencing often needs to be maintained after damage has been incurred due to an accident. Pedestrian guardrails are often located behind the fencing or within the same location as the accident. It would be beneficial for the contract to offer maintenance to both so they can be fixed at the same time during one site visit. This would save the costs of two separate jobs taking place.
- 8 This will be a two-year schedule of rates contract, which will be awarded to all compliant tenderers under an NEC Framework Contract on a no guarantee of works basis, with individual works orders placed with the most competitive and available contractor first. The contract can be extended by a 1x two-year period providing this offers best value to the Council at the time.
- 9 Tenderers must possess National Highway Sector Scheme 2A, 2B and 5B accreditation to be considered for the vehicular restraint barriers and bridge parapets elements of the contract but this does not apply to the pedestrian guardrails element.
- 10 This contract is available to the Yorkshire Highway Alliance, the Local Authorities who are members of the group are able to use this contract.

What impact will this proposal have?

Wards Affected:

Have ward members been consulted? Yes No

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

What consultation and engagement has taken place?

- 12 Consultation has taken place with the Yorkshire Highway Alliance and it was agreed that this contract would be the best method of procuring this type of work and will be available to all Yorkshire Highway Alliance members.
- 13 Consultation has taken place with the Finance Section who confirmed that the funding is available from both capital and revenue budgets as and when the works are required.

What are the resource implications?

- 14 The tender of this contract is an efficient use of council resources and is judged to be value for money in comparison to preparing tenders for each individual scheme.
- 15 The contract will run for a two-year period with the option to extend for a further two years.
- 16 The contract will be awarded to all suppliers submitting a compliant tender. The suppliers will be offered, subject to satisfactory performance, the opportunity to extend the contract and revise their rates in the process.
- 17 It is estimated that the average annual spend would be around £100,000.00. The total contract value for the four-year contract would therefore be around £400,000.00.

What are the legal implications?

- 18 There are no specific legal implications arising for this report and all activities relating to the award of this contract are being executed in accordance with the Council's Contract Procurement Rules.

What are the key risks and how are they being managed?

- 19 This contract will ensure that the Service will be able to procure highway fencing and pedestrian guardrail works to a high standard of workmanship and competitive cost.
- 20 This Contract is necessary to maintain continuity on the ability to procure these materials and carry out maintenance to the existing infrastructure as the current contract expires on the 31st October 2021.

Does this proposal support the council's 3 Key Pillars?

Inclusive Growth

Health and Wellbeing

Climate Emergency

- 21 Delivery of some element of social value is now a mandatory requirement to arise from all contracts unless there are exceptional circumstances for it to be excluded. The Council's social values are based on the national TOM's (Themes, Outcomes and Measures) and have been adapted to reflect the requirements of this tender. This includes the Council's commitment to make Leeds carbon neutral by 2030.
- 22 Tenderers will be required to submit a Social Value bid which will be evaluated as part of the quality submission. The successful tenderers performance will then be monitored against their Social Value submission for the duration of the contract.
- 23 Maintaining highway fencing and pedestrian guardrails is vital to the safety of road users and pedestrians. Providing a safe highway is integral to building Sustainable Infrastructure as part of the Best Council plan.

Options, timescales and measuring success

a) What other options were considered?

- 24 The tender of this Contract is an efficient use of Council resources and is judged to be value for money in comparison to tendering individual orders across the Yorkshire Highway Alliance.

b) How will success be measured?

- 25 The procurement arrangement for Highway Fencing Maintenance Contract has proved very successful in delivering the work of the Service over the previous contracts, which have spanned several years. It is hoped that including additional guardrail elements will allow this to continue and attract additional tenderers.

c) What is the timetable for implementation?

- 26 To ensure we have the new contract in place before the current one expires 31st October 2021, we need to go out to tender as soon as possible.

Appendices

- 27 None

Background papers

- 28 None