

# Approval to Award - Highway Fencing Maintenance 2021

Date: October 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 award the Highway Fencing Maintenance 2021 Contract to Bettamix Concrete Ltd, Hugh Logan Engineering and Protek Fencing Ltd. for a two-year period with an option to extend for a further two years.
- The current contract is due to expire on 31<sup>st</sup> October 2021. This new contract will start on the 1<sup>st</sup> November 2021 and will run for a two-year period until 31<sup>st</sup> October 2023 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 recommendation to award the Highway Fencing Maintenance 2021 contract to Bettamix Concrete Ltd, Hugh Logan Engineering and Protek Fencing Ltd. from 1<sup>st</sup> November 2021 for a two-year period to 31<sup>st</sup> October 2023 with an option to extend for a further two years.

## 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 award the Highway Fencing Maintenance 2021 Contract.
- 2 The current Highway Fencing Maintenance Contract expires on the 31<sup>st</sup> October 2021. Approval to re-tender the contract was giving by the Chief Officer (Highways & Transportation) on the 26<sup>th</sup> August 2021 as there were no further extensions available on the existing contract.
- 3 Alongside the highway fencing items, the re-tender included a number of additional pedestrian guardrail items in the pricing schedule. Tender returns included prices for these items resulting in the Council having compliant suppliers available to procure the guardrails as and when needed.

- 4 There were four tender returns following the open tender process. One was found non-compliant whereas Bettamix Concrete Ltd, Hugh Logan Engineering and Protek Fencing Ltd offered compliant tenders.
- 5 As per the tender evaluation, the contract will be awarded to all compliant tenders.
- 6 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

- 7 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?**

- 8 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.
- 9 The Council have confirmed their need for this contract to be available to deliver its Highway Maintenance service and any new schemes which require Highway fencing.

#### **What are the resource implications?**

- 10 The award 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.
- 11 The contract will run for a two-year period with the option to extend for a further two years.
- 12 The suppliers will be offered, subject to satisfactory performance, the opportunity to extend the contract and revise their rates in the process.
- 13 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?**

- 14 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?**

- 15 This contract will ensure the Council are able to procure highway fencing and pedestrian guardrail works to a high standard of workmanship and competitive cost.
- 16 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 31<sup>st</sup> October 2021.

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

☒ Inclusive Growth ☒ Health and Wellbeing ☒ Climate Emergency

- 17 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.

- 18 It was decided in the delivery stage that tenderers would not have to provide a social value bid but would be free to select any measure described within the TOMs that contributes to the overall value for every £100k spent.
- 19 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?**

- 20 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?**

- 21 The addition of guardrail elements into the contract has attracted additional tenderers as intended and has proved to be a successful tender. Success will continue to be measured over the life of the contract, the previous contract proved to be successful in delivering the work and it is hoped it will continue to be successful during this contract.

#### **c) What is the timetable for implementation?**

- 22 To award the contract before the current one expires 31<sup>st</sup> October 2021.

### **Appendices**

- 23 None

### **Background papers**

- 24 None