

Approval to Tender - Yorkshire Highway Alliance Supply of Winter Road Surface Treatments and Sundries 2022

Date: 13 January 2022

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 Yorkshire Highway Alliance (YHA) Supply of Winter Road Surface Treatments and Sundries Contract 2022 (the **Contract**).
- The current Contract expires 31st March 2022 with no further provision to extend. This has led to the requirement to re-tender and the proposed start date for the new Contract is 1 April 2022].
- The new Contract will be awarded to all compliant tenderers. Allowing the Council to order from the suppliers providing the best price and availability for the surface treatment materials.
- The initial contract period will be for two years with the availability to extend for a further 2 x one-year period.
- The value of orders place by Leeds City Council is estimated to be around £800,000 per annum.
- The Contract will be advertised on the Find a Tender Service (FTS) as the contract will exceed the threshold for supply, service and design contracts.
- The Contract will be in lots to provide rates for each of the Local Authorities who are part of the Yorkshire Highway Alliance (YHA) that have expressed their interest in continuing to use the Contract in accordance with the collaborative working aims of the YHA.
- The proposed tender of the Contract will provide an efficient method of procuring the essential supply of Winter Road Surface Treatments and ensure disruption to vehicular movement, services and provision of infrastructure needs across the City in bad weather is minimised as far as possible.
- There is a legal duty on Highway Authorities to ensure, so far as reasonably practicable, that safe passage along the highway is not endangered by snow or ice. This is provided for under section 41(1A) of the Highways Act 1980, as amended by the Railways and Transport Safety Act 2003.
- Treating road surfaces with winter treatments can contribute to allowing continued safe movement of traffic and pedestrians, as well as lessening of possible delays, during periods of ice or snow - in turn, contributing to achieving the City's transport aims within the Best Council Plan.

- The recommended approach is consistent with the aims contained within the Council's Spending Money Wisely Policy.

Recommendations

- a) The Chief Officer (Highways and Transportation) is asked to approve the request to tender the YHA Contract from 2022 – 2024 for a two-year contract period and to extend annually for a further two years subject to satisfactory performance.

Why is the proposal being put forward?

- 1 The purpose of this report is to inform the Chief Officer (Highways and Transportation) of the requirement to tender for the Contract, and in turn, approve the request to tender such that this can proceed.
- 2 The Council use the Contract to secure a contracted source of rock salt for Local Authorities who are part of the YHA and agree the Contract will be the best method of procuring the supply of these materials.
- 3 Other items are included in the Contract, such as the provision of marine salt, salt stack covers and alternative chemical treatments that can be used in lieu of rock salt. The supplied materials are to be delivered to individual Local Authority storage depots or compounds.
- 4 There is a legal duty on Highway Authorities to ensure, so far as reasonably practicable, that safe passage along the highway is not endangered by snow or ice. This is provided for under section 41(1A) of the Highways Act 1980, as amended by the Railways and Transport Safety Act 2003.
- 5 In fulfilling our legal obligations, we also fulfil a requirement in the Best Council Plan 2020-2025 to ensure the safe use of highways and public transport.
- 6 The key element of the plan is the use of mechanical gritting equipment to spread rock salt to help prevent ice formation and to help disperse snow.
- 7 The Council's aim through treating road surfaces with winter treatments is to facilitate safe movement of traffic and pedestrians during adverse weather, as well as lessening any delays caused by ice or snow.

What impact will this proposal have?

Wards Affected:

Have ward members been consulted? Yes No

- 8 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?

- 9 The Council have confirmed their need for the Contract to be able to deliver the service.
- 10 Consultation has taken place within the Council which has confirmed that funding would be available through the winter maintenance budget.
- 11 Consultation was carried out across the YHA and it was agreed that this Contract would be the best method of procuring the supply of these materials. The materials will be available to all YHA members.
- 12 Cllr Hayden as Executive Member for Infrastructure & Climate was consulted on the 25th October 2021 and was supportive of the proposal to tender.

What are the resource implications?

- 13 The proposal to invite tenders for a new contract is judged to be value for money and is an effective use of council resources.
- 14 The value of orders place by Leeds City Council is estimated to be around £800,000 per annum and £2,300,000.00 per annum for all Local Authorities.
- 15 Including Leeds City Council, all YHA members and extensions which may not be taken, the contract has a total estimated value of £9,200,000.00.
- 16 The initial contract period will be for two years with the availability to extend for a further 2 x one-year period.
- 17 The contract will be awarded to all suppliers submitting a compliant tender. Allowing the Council to order from the suppliers providing the best price and availability for the surface treatment materials. The suppliers will be offered, subject to satisfactory performance, the opportunity to review their rates annually. Any increase of any rate is limited to the Consumer Price Index 12-month rate % value published by the Office for National Statistics for December each year.

What are the legal implications?

- 18 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.
- 19 This is a Key decision due to the value of the materials that could be ordered through the Contract and was published on the List of Forthcoming Key Decisions on the 25th October 2021 for 28 days which has now expired.

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

- 20 To maintain continuity on the ability to purchase these materials for service delivery, it is essential that the Contract is tendered and awarded before the existing arrangement expires.
- 21 In order to fulfil our legal duties and meet the Council's corporate objectives, it is essential to provide a winter service of maintenance and keeping clear the City's highways infrastructure. This service cannot be delivered without an adequate and robust supply of rock salt.

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

Inclusive Growth Health and Wellbeing Climate Emergency

- 22 The proposed contract complies with the policy decision to achieve efficiency savings by entering into contracts across the West Yorkshire Districts.
- 23 The current suppliers have shown their commitment to the Climate Emergency by meeting Environmental Agency standards, committing to research groups that improve policy standards for the environment and issuing reports that highlight a reduction in energy intensity, freshwater intensity and Scope 1+2 Green House Gas Emission intensity. This retender aims to attract these suppliers once again, as well welcoming any additional suppliers that are compliant.

Options, timescales and measuring success

- a) **What other options were considered?**

- 24 The tender of the Contract is an efficient method of procuring the supply of materials, which is essential for the Council's continued fulfilment of its obligations as a Local Highway Authority.
- 25 The Contract is utilised as a means of instructing a contractor to supply rock salt as and when required. Each order will be subject to the necessary approvals in accordance with the Council's rules.
- 26 The Contract is set up to cater for all YHA Authorities in accordance with the collaborative working aims. It is judged to be efficient and provide value for money in comparison to tendering individual orders across the YHA.

b) How will success be measured?

- 27 The key objective of the Contract is for the YHA to be able to order and receive supplies of rock salt and other winter road surface treatments and sundries during the summer months and have the facility to re-stock during the winter months as required. Success will be measured by continued, seamless obtaining of these materials and at sufficient quantities.

c) What is the timetable for implementation?

- 28 Contract to be awarded and in place to start 1st April 2022, prior to the existing Contract expiring.

Appendices

- 29 N/A

Background papers

- 30 N/A