

# Approval to Use the Highways England Ground Investigation Framework 2020-2024

Date: 1 March 2022

Report to: The 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 permission for Leeds City Council to use the Highways England Ground Investigation Framework 2020-2024 to procure the appropriate work.
- Highways England is the government company charged with operating, maintaining, and improving England's motorways and major A roads. Formerly the Highways Agency, they became a government company in April 2015.
- Highways England have undertaken the procurement on behalf of all Local Authorities in England.
- The framework commenced on the 26/05/2020 and is due to expire 25/05/2024 with no further extensions.
- The Council's current Ground Investigation Framework expires 05/04/2022 with no further extensions available and this Framework is seen as a suitable replacement.
- The Framework is dividing into 4 lots, including 3 regional lots, the North, Midlands & East, and South with Leeds City Council having access to the Northern lot. This lot includes: RSK Environment, Soil Engineering Geoservices and Strata Geotechnics.
- The Ground Investigation Framework will be utilised by the Geotechnical Section to procure ground investigations which it carries out for Highways & Transportation, other Directorates in Leeds City Council and several Local Authorities in the Yorkshire Highway Alliance.
- The Geotechnical Section generates income from the collaborative work they undertake for the other Local Authorities and external clients using the framework.
- The proposed approval of the framework will provide an efficient method of procuring these essential Geotechnics works and ensure the approach is consistent with the aims contained within the Council's Spending Money Wisely Policy.

## Recommendations

- a) The Chief Officer (Highways and Transportation) is recommended to approve the use of the Highways England Ground Investigation framework 2020-2024. The estimated spend on the Framework until the contract expires 25/05/2024 is £800,000.

### Why is the proposal being put forward?

- 1 Whilst the Council has historically procured its own framework, the Ground Investigation section have found an alternative that is in line with the Councils Procurement Policies to use existing frameworks where possible.
- 2 The contract will be a direct replacement for the current framework which has proved to be an efficient and cost-effective way of procuring ground investigation works over the years. It is anticipated the competitive tender exercise carried out by Highways England will continue to provide the same value.
- 3 Works orders will be issued on an individual basis as and when required with each supplier providing rates against the items listed in the bill of quantities.
- 4 An OJEU notice was published on the 07/08/2019 with a tender return date of the 06/09/2019. The framework was advertised with 4 lots and was developed with the intention that Local Authorities in England, that is county councils, district councils, unitary authorities, metropolitan districts and London boroughs could use the regional lots 2,3 and 4.
- 5 The primary objectives of the Ground Investigation framework include but are not limited to: Investigation and identification of geotechnical hazards, providing information for geotechnical and geo-environmental risk assessments necessary for the planning and design submissions including supporting the establishment of the geotechnical design basis for design and construction, and Providing information for the detailed design and construction.

### What impact will this proposal have?

#### Wards Affected:

Have ward members been consulted? ☐ Yes ☒ No

- 6 The proposals requested in this report have no direct impact on any of the equality characteristics as it is purely an administrative function and therefore it is not applicable to carry out an equality, diversity, cohesion and integration screening at this time.

### What consultation and engagement has taken place?

- 7 Consultation has taken place with the Highways Geotechnical Team who have confirmed their need for this contract to be able to deliver the service.
- 8 Cllr Hayden as Executive Member for Infrastructure & Climate was consulted on the 25/10/2021 and was supportive of having a framework in place.
- 9 The Highways Procurement team held a meeting with representatives from Highways England who procured the contract on the 09/12/2021 to confirm its appropriateness for Leeds City Council to use.
- 10 It was confirmed to be suitable alternative to reprocurring the current framework.

### What are the resource implications?

- 11 The proposal to use an existing framework is in line with the Councils Procurement Policies and is judged to be value for money by saving the associated costs that come with preparing a new tender.
- 12 There is no access fee to use the framework and there is no commitment to place any orders through it.
- 13 The estimated spend on the Framework until the contract expires 25/05/2024 is £800,000.
- 14 It has been considered and confirmed that appropriate funding provision is available from both capital and revenue budgets as and when the service is required.

- 15 If the recommendation to approve the use of this framework is declined, we will not be able to reprocore the current contract in time. Therefore, we will have no compliant alternative in place and would therefore be unable to carry out ground investigation works.

### **What are the legal implications?**

- 16 There are no specific legal implications arising from this report. All activities relating to the proposed use of the contract have been executed strictly in accordance with the Council's Contract Procedure Rules.
- 17 This is a key decision and was published on the list of forthcoming Key Decisions 14/01/2022 for 28 days which has now expired.
- 18 Leeds City Council legal and procurement services have ensured that the procurement has been carried out in accordance with the Public Contract Regulations 2015 and is lawful for Leeds to use.

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

- 19 To maintain continuity on the ability to purchase these works for service delivery, it is essential that a replacement is in place before the existing arrangement expires.
- 20 Not approving the use of the Ground Investigation framework would mean the Council would have to procure separate contracts with the associated costs involved therein. It could also affect delivery of the major investment programmes.

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

☒ Inclusive Growth                      ☒ Health and Wellbeing                      ☒ Climate Emergency

- 21 Ground investigation plays an integral part of inclusive growth by establishing if the soil and rock profile in the ground is suitable for highway construction. The highway includes the pavement for pedestrians and cycle lanes for cyclists which supports health and wellbeing.
- 22 Suppliers will be encouraged to make changes where possible that benefit the environment during each call off exercise.

### **Options, timescales and measuring success**

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

- 23 The use of this contract is an efficient use of Council resources and is judged to be value for money in comparison to reprocuring the current contract or tendering individual orders and contracts.

#### **b) How will success be measured?**

- 24 Success will be measured by the Geotechnical Section and how the contractors perform.

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

- 25 The current contract expires 05/04/2022 with no further extensions available.

### **Appendices**

- 26 N/A

### **Background papers**

- 27 N/A