

Approval to Tender – Yorkshire Highway Alliance Road Markings Framework 2022-2024

Date: 20 September 2022

Report of: Senior Contracts Engineer Procurement

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

Brief summary

This report seeks approval from the Chief Officer (Highways & Transportation) to tender the Yorkshire Highway Alliance Road Markings Framework 2022-2024.

Recommendations

- a) The Chief Officer (Highways & Transportation) is requested to approve the recommendation to invite tenders for the Yorkshire Highway Alliance Road Markings Framework 2022-2024 for a 2-year period with the option to extend for a further 2 years with an estimated value of £1million per annum.

What is this report about?

- 1 The current Road Markings Contract expires on the 27th November 2022 with no further option to extend.
- 2 The initial contract period will be for 2 years from the 28th November 2022 to 27th November 2024 with the option to extend for a further 2 years.
- 3 All contractors appointed to the framework will be required to have Sector Scheme 7 approval for the application of road markings and road studs and meet the minimum threshold score on the quality method statement questions included. The questions will address Service delivery, the climate emergency, and assisting the Authority in achieving its 3-year programme by embracing innovation to improve the service.
- 4 Subject to satisfactory performance, each supplier will have the opportunity to amend their rates annually based on the indexation used in the contract.
- 5 The value of orders is estimated to be around £1,000,000 per annum, which falls below the threshold required for works contracts to be advertised on the Find a Tender Service (FTS).

What impact will this proposal have?

- 6 The Council as highway authority is under a statutory duty to ensure highway and pedestrian safety, with the requirement to provide and obligation for drivers to comply with traffic signs instituted under the Road Traffic Act 1984 and Road Traffic Act 1988. These statutes enable

the use of road markings as set out within The Traffic Signs Regulations and General Directions (TSRGD) 2016, Schedule 7. It is therefore the Council's statutory duty to introduce and maintain road markings as appropriate.

- 7 This contract is required to make sure we have suppliers able to carry out the work when necessary to fulfil our statutory duties and comply with the regulations.
- 8 Due consideration has already taken place vis-a-vis the impact of the proposal as part of the corporate procurement process. Further, the proposal is not currently applicable for an Equality, Diversity, Cohesion and Integration screening/impact assessment to be undertaken at this time.

How does this proposal impact the three pillars of the Best City Ambition?

☒ Health and Wellbeing

☒ Inclusive Growth

☒ Zero Carbon

- 9 Road Markings are used on paved roadways to provide guidance and information to road users spanning navigation, safety and enforcement issues. This includes cycle lanes. Providing safe cycling conditions benefits adults and children as making cycling more attractive due to clear road markings and directions, encourages people to see cycling as a safe and viable option of transport. Using cycle lanes that are well highlighted helps young people develop confidence and skills at an early age and is important in the battle against obesity. This improves health and wellbeing.
- 10 Cycling is widely recognised as offering a low cost, environmentally friendly, and healthy form of travel. Providing access to jobs, schools, local services and recreation. Clear road markings will support the integration of communities wherever they are established. This contributes to inclusive growth.
- 11 Each supplier will commit to the authorities Social Value Themes, Outcomes and Measures (TOMs) as part of the procurement, which includes reducing their carbon footprint.

What consultation and engagement has taken place?

Wards affected: N/A

Have ward members been consulted?

☐ Yes

☒ No

- 12 Consultation has taken place with the Yorkshire Highway Alliance, where it was agreed the contract will be available for all its members. Only Kirklees Council have used the current contract and are the only authority likely to access the new version.
- 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 Highways Asset Management have an ambitious 3-year programme which will be subject to future budget provision but includes the completion of 95% of all customer complaints and stakeholder requests in accordance with the framework KPI's.
- 15 Highways Asset Management will also be trialling the use of AI technologies plus heat map-based data to identify defective road markings and will expect the successful contractors to support this new approach and assist as required to develop this process.
- 16 The proposal to invite tenders for a new contract is judged to be value for money and is an effective use of council resources.
- 17 The estimated total value of the contract including extensions is £4 million or £1 million per annum.

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

- 18 This contract needs to be tendered in order to maintain continuity on the ability to install road markings for Service Delivery as the existing arrangement expires on 27th November 2022.
- 19 A number of KPI targets will be introduced around delivery of urgent and non-urgent works, permit condition compliance and quality of work. The contractors will be required to attend monthly performance meetings where they will be given the opportunity to address any poor performance issues but continual poor performance against the KPI's could result in temporary suspension and imposing service credits (a deduction to payments due).
- 20 There will be requirements for the contractors to supply a weekly update on progress and to carry out regular on-site testing to ensure the road markings meet the required specification. This will also include additional testing to be carried out during the defect correction period.

What are the legal implications?

- 21 This is a key decision due to the value of orders that may be placed through the contract and is subject to Call In. It was accordingly published on the List of Forthcoming Key Decisions on 15th August 2022.
- 22 There are no specific legal implications arising from this report. All activities relating to the proposed contract have been executed strictly in accordance with the Council's Contract Procedure Rules.
- 23 As noted above, in instituting and maintaining traffic signs, the Council as highway authority is fulfilling its statutory duties as provided for under the Road Traffic Act 1984, Road Traffic Act 1988 and the Traffic Signs Regulations and General Directions (TSRGD) 2016, Schedule 7. It is therefore the Council's statutory duty to introduce and maintain road markings as appropriate.

Options, timescales and measuring success

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 or contracts across the Yorkshire Highway Alliance.

How will success be measured?

- 25 The procurement exercise will be deemed a success if it attracts bids from suitable suppliers and the contract is in place before the current arrangement expires.

What is the timetable and who will be responsible for implementation?

- 26 The current contract expires on the 27th November 2022. It is therefore anticipated that the new contract will commence to coincide with this.

Appendices

- N/A

Background papers

- N/A