

# Approval to Extend the Noise Insulation Contract (formerly extended) to 2024

Date: 25<sup>th</sup> January 2023

Report of: Megan Chamberlain, Assistant Procurement Engineer, Highways & Transportation

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

## Brief summary

This report seeks approval from the Chief Officer (Highways & Transportation) to extend the Noise Insulation Contract to 5<sup>th</sup> February 2024 with the incumbent contractor, DGB Joinery Ltd, who have agreed to the extension.

## Recommendations

- a) The Chief Officer (Highways & Transportation) is requested to approve the recommendation to extend the Noise Insulation Contract for a further 12 months to 5<sup>th</sup> February 2024 with the incumbent contractor, DGB Joinery Ltd. The estimated cost of the 12-month extension is £200,000.00.

## What is this report about?

- 1 This report seeks approval from the Chief Officer (Highways & Transportation) to extend the Noise Insulation Contract for a further 12 months as per Contract Procedure Rule 21, utilising Clause 5.2 which is incorporated within the contract.
- 2 The Noise Insulation Contract was awarded to DGB Joinery on the 6<sup>th</sup> February 2020 with an end date of 5<sup>th</sup> February 2022. The contract has the facility to be able to extend the contract two times, up to a total contract period of four years.
- 3 This is the second of the two possible extensions. The first extension began on the 6<sup>th</sup> February 2022, and will expire on the 5<sup>th</sup> February 2023.
- 4 The contract extension will start from the 6<sup>th</sup> February 2023 until the 5<sup>th</sup> February 2024 with the incumbent contract, DGB Joinery Ltd who have agreed to the proposed extension.
- 5 As per the contract, the contractor was offered the opportunity to increase their rates in line with the BCIS BMI Local Authority Maintenance Cost Indices – Services. The increase was calculated at 8.8%, which the contractor accepted.
- 6 The proposed extension will allow the Council to keep using the compliant contractor procured at the first time of tendering under the same terms and conditions. Retendering is not expected to bring any further savings and would incur costs associated with a new tender process. The proposal therefore serves as an efficient way of procuring the ongoing service while ensuring

the approach is consistent with the aims contained in the Council's Spending Money Wisely Policy. The contract enables residents in eligible properties affected by work to have their existing windows improved with double-glazed units in u-PVC, aluminium or timber to reduce noise pollution in their homes from ongoing highways works.

### **What impact will this proposal have?**

- 7 EDCI – in itself, the tendering of a new contract will not have any direct impact on equality and diversity or cohesion and integration, the condition within the frameworks' specification will dictate that any works delivered through the framework will have due consideration to the above.

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

Health and Wellbeing                       Inclusive Growth                       Zero Carbon

- 8 The creation and sustainability improvements to infrastructure across Leeds is an important part of achieving our Best City Ambition. However, undertaking this work can result in increased noise levels to adjacent properties. The contract is used to offer local residents noise reduction measures to mitigate this in appropriate circumstances, supporting the health and wellbeing of our residents.
- 9 The health and wellbeing of local residents is improved by offering them noise reducing measures within their properties to prevent any noise increase created by highways schemes.
- 10 The contractor is aware of Leeds City Council's Climate Emergency agenda and any emission savings that can be made are encouraged.

### **What consultation and engagement has taken place?**

Wards affected: All		
Have ward members been consulted?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

- 11 Consultation has taken place with the Transport Policy / Noise Insulation team who have confirmed their need for this contract to be able to deliver the services and that they are satisfied with the performance of the incumbent contractor.

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

- 12 The proposal to extend the Contract is judged to be value for money and is an effective use of Council resources. Re-tendering is not expected to bring any further savings and would incur costs associated with a new tender process.
- 13 The estimated annual contract value is £200,000.00.
- 14 It has been considered and confirmed that the appropriate funding provision is available from revenue budgets as and when the service is required.
- 15 If the Contract is not extended, there is no compliant alternative in place and the Noise Insulation / Transport Policy team would therefore be unable to carry out the works.

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

- 16 Should the contract not be extended, the Council would not have a contractor who could react quickly to requests for noise insulation works and packages of work would have to be procured individually resulting in time delays and additional cost.

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

- 17 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.
- 18 Extending the contract is a direct consequence of the initial authority to procure and should be treated as a significant operational decision; as such it is not eligible for call in.

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

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

- 19 The extension of this contract is an efficient use of Council resources and is judged to be value for money in comparison to inviting companies to submit quotes for individual packages of work.
- 20 The extension will allow Leeds City Council to keep using the compliant contractors procured at the first time of tendering on the same terms and conditions. The alternative option of retendering has been considered, but is unlikely to result in any additional savings to the Council.
- 21 The proposed extension to this contract will maintain an efficient method of procuring this essential service.

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

- 22 Success will be measured by the delivery and quality of the work undertaken by DGB Joinery Ltd under the contract. It has been confirmed that the Contractor has provided many years of good service to the Council and they continue to do so on the current contract.

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

- 23 The contract extension needs to be in place before the contract expires on 5<sup>th</sup> February 2023. The Procurement and Commercial Services team will formally extend the contract via Yortender.

## **Appendices**

- n/a.

## **Background papers**

- n/a.