

Approval to tender the Pumping Stations and Flood Alleviation Scheme 1 Maintenance Contract 2023

Date: February 2023

Report of: Joe Bates, Apprentice Quantity Surveyor

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 sets out the reasons for recommending that the Chief Officer (Highways and Transportation) approves commencement of the tender process for delivery of the Pumping Stations and Flood Alleviation Scheme 1 Maintenance Contract 2023

Recommendations

The Chief Officer (Highways and Transportation) is requested to approve the tender of the Pumping Stations and Flood Alleviation Scheme 1 Maintenance Contract 2023, the contract period will be from 19th July 2023 to 18th July 2025 with the option to extend the contract for a further 2 years to 18th July 2027.

What is this report about?

- 1 This report will outline the purpose that retendering the Pumping Stations and Flood Alleviation Scheme 1 Maintenance Contract 2023 (the Contract) will have and the benefits that can be gained by going ahead with this contract.
- 2 The Flood Risk Management Division use this contract to carry out a variety of routine, planned, reactive and emergency works primarily for Pumping Station maintenance, but also Water Features, Petrol interceptors and Septic tank maintenance (Lot 1).
- 3 This contract is used for occasional, and maintenance works for Flood Alleviation Scheme 1 (Lot 2).
- 4 This will be a two-year call-off contract, it will be awarded in two separate lots with one successful tender awarded to each Lot, though the same contractor can be awarded both Lots. Review of submissions for the tender and awarding to the successful contractor(s) will be in accordance with the standard evaluation procedure as detailed in the Council's Contract Procedure Rules.
- 5 There is the requirement for 365-day 24 hour call-out cover to be provided by the Contractors under the Contract. The Contract will have the provision to extend by a maximum of a further 2 years for use thereafter subject to operational requirements and satisfactory performance by the Contractor.
- 6 Work will be issued via small value call-off orders to the successful contractors in lots 1 and 2
- 7 Further Flood Alleviation Schemes may be added into this contract by agreed variation of the Contract with the successful tenderer of Lot 2.

What impact will this proposal have?

This proposal will ensure necessary routine, planned, reactive and emergency works are undertaken for maintenance of pumping stations, water features and the other works mentioned previously in the report are carried out in a timely and efficient manner across Leeds for the duration of the Contract. The use of the tender process and subsequent undertaking of the work via the Contract is an efficient and cost-effective method of procuring this type of work.

The proposals requested in this report have no impact on the equality characteristics identified in the original equality, diversity, cohesion and integration screening assessment conducted as part of the procurement process. Therefore, it is not applicable to carry out an EDCI impact assessment at tender stage.

The tender process does require tenderers to have appropriate arrangements in place to ensure equality and diversity is embedded within their organisation which is evaluated through the construction selection questionnaire. They are also required not to unlawfully discriminate and must comply with the Equality Act 2010.

Where considered appropriate an EDCI impact assessment will be carried out for each call-off order within the framework.

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

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 8 Health and wellbeing – Maintaining the pumping stations will ensure that foul/surface water sewerage can be pumped into gravity flowing systems for disposal at sewage plants. Maintaining the apparatus of the Flood Alleviation Scheme 1 will allow the continuation of water level management to prevent flooding in susceptible areas, which would otherwise have the potential to cause closures and damage to roads and businesses.
- 9 Inclusive Growth – Prevention of flooding will clearly be beneficial to all local communities and hence could encourage inclusive growth in areas where investment could otherwise be regarded as too risky.
- 10 Zero Carbon – As part of the tender process, tenderers will be required to provide commitments against the Leeds TOM's (themes, outcomes, measures) which will include reducing carbon emissions to help the Council achieve its net zero ambition.

What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted? Yes No

- 11 A collaboration contract with other Yorkshire Highway Authorities was considered but due to the very individual requirements by each Authority a joint contract is not considered practical or that it would result in any cost saving.
- 12 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.
- 13 The proposed contract will be an efficient method of procuring this type of work.
- 14 Flood Risk Management have confirmed their need for this Contract to be available to deliver their service.

What are the resource implications?

- 15 The proposed new contract is judged to be value for money and is an effective use of council resources, particularly in comparison to issuing tenders for each individual project or item of maintenance work that is required – which could result in price differentials and variations on each occasion.
- 16 The contract will be awarded to either one contractor for both lots or one contractor in each lot submitting compliant tenders. The contractors will be offered, subject to satisfactory performance, the opportunity to revise their rates annually. This shall not exceed the Consumer Prices Index % value current at that time, published by the Office of National Statistics.
- 17 It is estimated that the total value of the 4-year contract will be around £880,000 and £220,000 per annum.

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

- 18 The Contract is necessary to ensure Leeds City Council's ability to maintain the pumping stations and flood alleviation scheme(s).

19 To maintain continuity in terms of the existing service it is essential that the Contract is tendered and awarded before the existing arrangement expires on 18th July 2023.

What are the legal implications?

20 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. This decision is a key decision due to the value of services that are likely to be administered over the life of the Contract. It was accordingly published on the List of Forthcoming Key Decisions on the 26th of January 2023. It is also subject to call-in due to the level of expenditure envisaged under the Contract.

21 The report does not contain any exempt or confidential information under the Access to Information Rules.

22 The overall value of the contract is such that it does exceed the threshold for service contracts and will be advertised on the Find a Tender Service.

Options, timescales and measuring success

What other options were considered?

23 No other suitable frameworks were found. 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.

How will success be measured?

24 Success will be based on procuring suitable and capable suppliers to both lots.

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

25 The Highways procurement team will aim to have the new contract in place before the current one expires 18th July 2023.

Appendices

- Equality, diversity, cohesion and integration screening assessment

Background papers

- N/A