

# Report to award - Dawsons Corner / Stanningley Bypass Junction Improvement

Date: February 2024

Report of: Senior Contracts Engineer Procurement, Highways & Transportation

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 is to inform the Chief Officer (Highways and Transportation) of the outcome of the recent tender of the Dawsons Corner / Stanningley Bypass Junction Improvement Scheme and its recommendation to award the contract to John Sisk & Son Ltd.

## Recommendations

- a) The Chief Officer (Highways and Transportation) is requested approve the recommendation to award the Dawsons Corner / Stanningley Bypass Junction Improvement Contract from 26<sup>th</sup> February 2024 to 12<sup>th</sup> December 2025 to John Sisk & Son Ltd. with a target cost of £13,276,715.00.

## What is this report about?

- 1 A prior report entitled: Dawsons Corner / Stanningley Bypass by Paul Russell and Mohammed Mahmood was presented to the Chief Officer (Highways and Transportation) and subject to call in. The report obtained approval to invite tenders for the Dawsons Corner / Stanningley Bypass works through the newly awarded Major Works Contractor Framework.
- 2 It also obtained approval to award the Stage 1 ECI contract and subject to approval of the Final Business Case, gained approval to award the Stage 2 Construction contract.
- 3 The four contractors on the Major Works Contractor Framework were invited to tender on the 28<sup>th</sup> of September 2023 and all four contractors returned a tender by the response deadline on the 6<sup>th</sup> of December 2023.
- 4 As per the award criteria set out in the tender document, the contract is awarded on the Quality/Price separated approach where the lowest priced bidder who met the quality criteria would be the successful tenderer.
- 5 The four tenderers quality submissions were assessed by a panel of Highways and Transportation Engineers and Transport planners and chaired by a member of the Procurement Team.
- 6 All four tenderers achieved the minimum threshold scores for quality and therefore progressed to the price evaluation.

- 7 The preferred bidder with a target cost of £13,276,715.00 is John Sisk & Son Ltd.
- 8 The contract was let under the NEC4 Engineering and Construction Contract (ECC), Option C, including secondary option clause X22 – Early Contractor Involvement. This is a two-stage contract.
  - Stage One – Early Contractor Involvement, outlined below.
  - Stage Two – Construction Stage.
- 9 Stage 1 will involve Early Contractor Involvement (ECI) developing the final design, finalising the specification, undertaking trial hole excavations to determine the extent of clashes with statutory undertakers services and determining the target cost and program for the construction stage 2.
- 10 Stage 2 will only commence when the Project Manager issues a notice to proceed to Stage 2. The following conditions must be met before the Project Manager issues the notice to proceed.
  - The Budget at the end of Stage 1 does not exceed the Budget stated in Contract Data Part One.
  - The Client has received confirmation from the Department for Transport that the Final Business Case has been approved, and the scheme is funded.
- 11 There is no commitment that the Client will proceed to Stage 2 with the successful tenderer.

**What impact will this proposal have?**

- 12 An Equality, Diversity, Cohesion and Integration screening/impact assessment was undertaken as part of the original approval to tender. No further screening documentation has been undertaken or is required at this time.

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

- Health and Wellbeing       Inclusive Growth       Zero Carbon

- 13 The benefits of the scheme have been well documented on the previous approvals. This approval is seeking authority to award the contract.

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

Wards affected:

Have ward members been consulted?       Yes       No

- 14 No consultation has taken place with key stakeholders as to whether the contract should be awarded to the winning bidder or not as this is determined by the evaluation of the tender received. However, consultation with key stakeholders was undertaken prior to tendering.

**What are the resource implications?**

- 15 The preferred bidders' tender price is under the estimated value and will be wholly capital funded through the DfT and WYCA.

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

- 16 There is a risk that the Final Business Case is not approved and a risk that funding is delayed for political reasons beyond the Client's control. X22 and X11 are included to assist in the event that this risk occurs.
- 17 The successful tenderer will undertake Early Contractor Involvement to assist in developing the design in terms of buildability, supply chain and cost. This will be managed by the Project

Manager to ensure any rise in the target cost is reasonable and were unknown at the time of tendering.

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

18 This report is the consequence of a previous key decision and therefore is not subject to call in. There are no specific legal implications arising from this report. All activities relating to the award of this contract are being executed in accordance with the Council's Contract Procedure Rules.

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

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

19 Other procurement routes to market were considered, however they were not adequate to deliver the planned programme of infrastructure works due to cost, resource and time.

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

20 Success will be measured by the outcome the scheme delivers.

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

21 If the Chief Officer (Highways & Transportation) approves the recommendation to award the contract on the basis it provides best value to the Council, it will be in place by the contract start date of 26<sup>th</sup> February 2024.

### **Appendices**

- n/a

### **Background papers**

- n/a