

Report to Matt Davey, Director of Highways, Transport & Planning

November 2021

Award of contract for Highways Client Support Services

Report by Head of Highways Planned Delivery

Electoral division(s): All

Summary

Following a competitive procurement exercise and in accordance with the Council's Standing Orders on Procurement and Contracts, the Director of Highways, Transport and Planning is asked to authorise the award and commencement of a framework contract for the provision of highways client support services.

Recommendations

The Director for Highways, Transport and Planning is asked to approve the award and enter into a framework contract for the provision of highways client support services with the following five suppliers: Aquila Forensics Ltd, CJ Founds Associates Ltd, New Way UK Consultants Ltd, Provelio Limited, and Turner and Townsend Ltd. Framework contract to commence on first of January 2022 for a period of 4 years.

Proposal

1 Background and context

The supply of a professional highways client support service is critical to ensuring the County Council can meet its statutory duty to maintain the highways and to ensure that, in constructing or improving roads, the authority takes such measures as appropriate to reduce the possibilities of accidents. The contracts awarded for these services in 2016 are due to end in 2022 and new contracts are required.

2 Proposal details

- 2.1 A competitive procurement was entered into for the supply of highways client support services. These services include the provision of specialist consultancy, project managers, supervisors, and cost consultants, which complements the much larger Professional Services Contract. The procurement is fully compliant with UK procurement regulations and the Council's Standing Orders on Procurement and Contracts.

- 2.2 A Contract Notice was published to the Find a Tender Service on 8 September 2021. The opportunity was also promoted on the West Sussex e-Sourcing Portal and Contracts Finder. A total of 71 organisations expressed an interest in the opportunity; 6 registered an intention to bid and 6 tender submissions were received.
- 2.3 Officers undertook compliance checks on the tender submissions to ensure all schedules required were duly submitted and that the tenders were correct. One supplier failed those checks and, in consultation with WSCC Legal Services and WSCC Procurement and Contract Management Services, their bid was disqualified.
- 2.4 The remaining tenders were evaluated by an evaluation panel between 26th October and 12th November 2021 and a moderation meeting was held on 15th November 2021 to discuss and agree final scores. Commercial and Quality sections were evaluated by separate teams.
- 2.5 The successful suppliers have all been assessed for financial stability, track record, experience, and technical and professional ability.
- 2.6 The procurement routes for commissions on the framework will take the form of 'further competition' where commissions will be awarded based on the most economically advantageous (quality and price) tender through a mini competition. Some specialist commissions may be issued by direct award using the base rates tendered in this procurement. This ensures the Council obtains the most economically advantageous tender for each commission.
- 2.7 The framework contract is to commence on 1st January 2022 with an end date of 31st December 2025. The framework contract does not contain an extension facility and may not be extended beyond the end date.

3 Other options considered (and reasons for not proposing)

An options analysis was completed before the procurement commenced, which considered a number of alternatives, and the use of a framework contract emerged as the clear winner in terms of the most economically advantageous route to market.

4 Consultation, engagement and advice

The Executive Director for Place Services, the Director of Finance and Support Services, and the Director of Law and Assurance have been consulted.

5 Finance

- 5.1 The framework provides consultancy and client support services. These commissions will support the client as required for capital schemes within the Highways Portfolio. The framework may also occasionally provide revenue funded commissions. The current framework spend is in the region of £250k per year and expenditure through the new arrangements is expected to be broadly similar to current levels. The cost of commissions through the framework will be met from approved budgets within the Highways Capital Portfolio (approved budget £54.7m in 2021/22) or the Highways Maintenance budget in revenue (approved budget £10m in 2021/22).

5.2 The effect of the proposal:

(a) **How the cost represents good value**

The procurement was undertaken through an Open Tender process which is fully compliant with UK procurement legislation.

(b) **Future savings/efficiencies being delivered**

The best available value for money will be achieved using a competitive mini competition model for commissions through this framework. Two of the 5 successful tenderers signed up to the Supplier Advantage Initiative Early Payment Rebate Scheme (SAI). Rebates will be payable to WSCC upon award of further competition processes throughout the life of the framework agreement.

(c) **Human Resources, IT and Assets Impact**

There are no Human Resources, IT or Assets Impact, to this proposal.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
The risk of not authorising the award of a framework contract for highways client support services is that the County Council's statutory duty to maintain the highways, will not be met.	It is planned to award a framework contract with multiple suppliers which is fully compliant with the County Council's Standing Orders on Procurement and Contracts and UK procurement legislation.

7 Policy alignment and compliance

- 7.1 The proposal supports the sustainable and prosperous economy priority in the West Sussex Plan. This procurement will contribute to ensuring, so far as is reasonably practicable, that in constructing or improving roads the authority takes such measures as appropriate to reduce the possibilities of accidents.
- 7.2 The proposal has no foreseeable climate change or public health implications.
- 7.3 The public sector equality duty will apply to the delivery of the services which fall within the framework contract, and the terms of the contract will ensure that they enable the County Council to fulfil its obligations through the delivery of the contract and provide sufficient assurance that the duty will be complied with.
- 7.4 The contract has been tendered with consideration as to how the suppliers will provide added social value, reflecting the County Council's duty under the Public Services (Social Value) Act 2012.

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Appendices

None

Background papers

None