

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

**February 2022**

### **Award of contract for Highways Core Professional Services**

### **Report by Head of Highways Planned Delivery**

**Electoral divisions: All**

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#### **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 contract for the provision of highways core professional services.

#### **Recommendations**

The Director for Highways, Transport and Planning is asked to approve the award and enter into a contract for the provision of highways core professional services with WSP Ltd. Contract to commence on 03 May 2022 for an initial period of five years, with the option to extend to a maximum duration of ten years, subject to performance.

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#### **Proposal**

##### **1 Background and context**

The supply of a professional highways professional services contract 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 contract awarded for these services in 2016 is due to end in 2022 and a new contract is required.

##### **2 Proposal details**

- 2.1 A competitive procurement was entered into for the supply of highways core professional services. These services include the provision of highway project and scheme design across the full range of the service and complements the recently awarded more specialised Client Support Framework. The procurement is fully compliant with The Public Contracts Regulations (2015) and the Council's Standing Orders on Procurement and Contracts.
- 2.2 A Contract Notice was published to the Find a Tender Service on 14 October 2021. The opportunity was also promoted on the West Sussex e-Sourcing Portal

and Contracts Finder. A total of 49 organisations expressed an interest in the opportunity; 4 registered an intention to bid, and 3 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.
- 2.4 Tenders were evaluated by an evaluation panel between 6 December 2021 and 14 January 2022 and a moderation meeting was held on 14 January 2022 to discuss and agree final scores. Commercial and Quality sections were evaluated by separate teams.
- 2.5 The contract is a 'first past the post' contract and is awarded based on the most economically advantageous tender using a combination of price (40%), Social Value (5%) and Quality (55%) requirements. The successful bidder has been assessed for financial stability, track record, health and safety, experience, and technical and professional ability.
- 2.6 The contract is to commence on 03 May 2022 with an initial end date of 02 May 2027. The contract contains an extension facility and, subject to performance, may be extended to a maximum duration of ten years.

### **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 single provider long term 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 contract provides highways core professional and consultancy services. Commissions through this contract will support the client as required for capital schemes within the Highways Portfolio. The contract may also occasionally provide revenue funded commissions. The annual contract spend is anticipated to be in the region of £6m per year and expenditure through the new arrangements is expected to be broadly similar to current levels. The cost of commissions through the contract 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 via a competitive Open Tender process. The successful bid scored the highest on Technical, Social Value and Commercial sub criteria. Expenditure is expected to be broadly within existing levels and will be met with existing budgets.

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

The best available value for money has been achieved by going out to the open market and completing a rigorous procurement process using the industry standard NEC4 contract as a foundation for the new contract. The new contract actively encourages innovation and future efficiencies.

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

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

**6 Risk implications and mitigations**

<b>Risk</b>	<b>Mitigating Action (in place or planned)</b>
The risk of not authorising the award of a contract for highways core professional services is that the County Council's statutory duty to maintain the highways, will not be met.	It is planned to award this contract to WSP Limited which is a well-resourced and well known company with many similar highway professional services contracts and multiple highway authority clients. The procurement process 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, which will be measured through a set of Key Performance Indicators, reflecting the County Council's duty under the Public Services (Social Value) Act 2012.

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**Appendices** None

**Background papers** None