

Report to Lee Harris, Director Place Services

November 2023

Award of Contract: Construction of Worthing Railway Approach Public Realm Scheme

Report by Worthing Growth Officer and Highways Project Manager

Electoral division(s): Worthing Pier, Broadwater, Worthing East & Tarring

Summary

The Worthing Growth Programme (2017) identified a Worthing Public Realm Improvements (WPRI) programme in Worthing town centre to support the revival of the local economy by improving the quality and accessibility of public areas connecting Worthing station, the town centre and the seafront.

As part of the WPRI programme the Cabinet Member for Support Services and Economic Development endorsed progression of the Worthing Railway Approach scheme in April 2023 (Ref: [SSED05 22-23](#)) and delegated to the Director Place Services the authority to award the construction contract. This report concerns the award that is to be made.

Recommendations

The Director Place Services is recommended to award a contract to the value of £1,492,377.02 to Landbuild Ltd for the construction of the Worthing Railway Approach public realm scheme as set out in the report. The construction is to commence in February 2024 with anticipated completion by November 2024.

Proposal

1 Background and context

- 1.1 The Worthing Railway Approach Public Realm Improvement programme forms part of the Growth Partners, West Sussex County Council, (WSCC), Worthing Borough Council, (WBC) and Coast 2 Capital Local Enterprise Partnership (LEP) package of identified schemes and recognises the strategic importance of Railway Approach as a key gateway to the town centre, with the station area located adjacent to Teville Gate, a major regeneration site.
- 1.2 The Railway Approach scheme, in the heart of town and part of wider Teville Gate regeneration, will improve the economic, social and environmental qualities of the town centre. It will improve accessibility and safety and have an attractive appearance and distinctive design.

- 1.3 Preliminary design for the scheme was completed in early 2021 and, following an engagement exercise in April and May 2021 with local Councillors, residents, businesses and interest groups, detailed design for the scheme was completed in summer 2022.
- 1.4 As set out in the decision [SSED05 22-23](#), a key objective of the scheme has been the provision of a clear accessible approach to the station for all user groups by removing unnecessary street furniture, renewing and expanding paved areas, altering highway access, and enlarging, and improving pedestrian areas. Improved provision for passenger set down and pick up is also planned as is alteration to on-street parking. For the urban public realm, around the railway station and along Railway Approach; new furniture, trees, and other landscaping is planned alongside improved safety elements such as new and upgraded street lighting and CCTV.
- 1.5 Following a period of additional review by Worthing BC and WSCC (between September 2022 and February 2023) which included a further scheme refinement at the Worthing Station forecourt to include some additional Sustainable Urban Drainage areas with 'in-ground' greening and trees.
- 1.6 Cabinet Member key decision SSED05 22-23, April 2023 endorsed the scheme and budget and delegated authority to the Director Place Services to award the construction contract.

2 Proposal details

- 2.1 It is proposed that a contract is awarded Landbuild Ltd for the value of £1,492,377.02 for the construction of the Worthing Railway Approach public realm scheme. The construction is to commence in February 2024 with anticipated completion by November 2024.
- 2.2 Procurement of the Construction Contract was through the County Highways Services Contracts - Lot 6 - Infrastructure Improvement Planned Works. The contract tender period was from 11 July to the 15 September 2023. Following an Officer tender review and moderation meeting on 04 October 2023, further clarifications were requested from the shortlisted contractor and a confirmed tender price and project programme was submitted by Landbuild on 13 November with review of the final price and programme completed by Officers on 16 November.
- 2.3 This will be an approximate 12-month contract until the end of November 2024, but could be subject to change (due to unforeseen issues). This will be followed by a 12-month period of maintenance and defects repair (should defects be established during this period). Construction works start is expected in February 2024, with the period between November 2023 and February 2024 for contractor development of their Health and Safety Plan and submission and approvals of WSCC Streetworks Permits and 3rd Party Approvals by Network Rail and Govia Thameslink Railway risk assessments and construction method statements (when working close to Railway Buildings). This 'mobilisation period' will also be used by WSCC and Worthing Borough Council for local stakeholder notification on the planned works and general communications about the project's implementation.

3.0 Other options considered (and reasons for not proposing)

- 3.1 Development of the Railway Approach scheme has taken place over three years with several early option variations considered for the layout, before the design was approved by WPRI in March 2020 and stakeholder events took place in April. The alternative options that were discarded did not provide sufficient benefits and therefore value for money or did not address some of the key pedestrian and transport concerns, such as removing key transport aspects or reduced planting.
- 3.2 A do-nothing option had been considered as part of the autumn 2022 to spring 2023 review of the scheme. Following feedback from WBC, however, as this location formed a fundamental part of the previously agreed Growth Programme as well as a WSCC Local Transport Plan 2036 objective and was seen as a major improvement for the town, the 'do nothing' scenario was rejected.

4.0 Consultation, engagement, Legal and Commercial Panel advice

- 4.1 A full engagement process was undertaken from 31 March 2021 to 30 April 2021 via an online portal (due to Covid-19 restrictions), allowing residents, businesses and interest groups to see in detail the preliminary proposals.
- 4.2 WBC has been fully consulted as an active partner in the development of the scheme and the WBC feedback eg on additional greening and sustainable drainage has been included in the final scheme.
- 4.3 A separate Traffic Regulation Order (TRO) process has been undertaken for changes to parking restrictions associated with the scheme. This took place between 07 and 28 September 2023 and a separate report is being prepared for approval of the TROs to proceed.
- 4.4 The contractor will be required to:
- keep local residents and businesses updated on the progress of the works
 - notify changes in traffic management which may temporarily affect access
 - notify and work closely with the rail companies on maintaining safe access and egress to the railway buildings during the works with advance warning to rail users of access changes
 - work with WSCC and WBC communications teams to ensure the above is communicated in a clear and timely manner to all stakeholders.

5 Finance

- 5.1 The overall budget forecast agreed in decision SSED05 22-23 allows for contingency sums to cover potential cost increases due to unforeseen, or potential risk occurrences.
- 5.2 Contract monitoring will be in place throughout the scheme delivery by the independent Contract Administration team (NEC4 Project Management company Provelio and Currie & Brown). Fortnightly and monthly meetings will be held to track progress. Budget and contract management software (CEMAR) will be used to administer the contract processes.

- 5.3 Landbuild Ltd's tender sum, under an NEC4 Option A contract form is £1,492,377.02 however, this may change due to unforeseen circumstances and budgeting will be controlled through early warning notices and compensation events that will be assessed by the independent administration team.
- 5.4 **Funding Sources:** The construction budget, as approved in decision SSED05 22-23 is £2.287m. This budget includes Contractors charges, third party contractor costs, professional fees and a contingency sum. This will be funded from corporate borrowing as set out in the table overpage.

Table of Proposed Expenditure

	22/23 Carry over £m	23/24 £m	24/25 £m	Total £m
Profiled Cost	£0.130	£0.350	£1.807	£2.287
Corporate Funding/Borrowing	£0.130	£0.350	£1.807	£2.287

5.5 The effect of the proposal:

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

The scheme delivers a step change in public realm facilities around the railway station and on the key approach to and from the town via Teville Gate House and Teville Gate development area. It includes updating of existing road and pavement areas, new planting and sustainable drainage improvements.

A competitive tender process has been completed, using the West Sussex CC Highways Framework, Lot 6 (Projects up to £2m) which has been assessed by Officers for value for money and quality in accordance with the terms of the framework (70% award on cost and 30% award on quality).

Scheme costs are being managed through:

1. Compliant design to accord with WSCC design and construction guidance and use of standard and well-understood materials to minimize future maintenance
2. The reuse/refurbishment of expensive stone and pavior materials at the railway station, following successful trials of a deep cleaning process
3. Framework tendering processes and contract management to select and manage the contractor with a focus on Most Economically Advantageous Tender and cost / quality assessment at 70% / 30% ratio
4. A contingency sum to cover potential tender and construction inflation, build risk and unknowns is included in the budgeting and control measures will be in place through the scheme's independent contract management approach.

The contract form used is the Highways Services Contracts - Lot 6 - Infrastructure Improvement Planned Works which uses pre-qualified contractors

which have been approved through a detailed quality submission and demonstrated ability to deliver improvement works in West Sussex.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Changes in costs due to inflationary pressures on materials and labour	Prudent financial budgeting with sufficient build contingency allowances. Re-use of existing materials where possible. Using known contractors with local supply chains. Detailed management of the scheme, with externally provided cost auditing and continuous review of value for money.
Changes in costs due to unforeseen construction issues	Detailed site investigations have taken place. Detailed management of the scheme with external project manager, quantity surveyor and construction supervisor.

7 Policy alignment and compliance

7.1 Our Council Plan

7.1.1 [Our Council Plan](#) covers the period 2021 to 2025 and sets out the priorities for the council over four years and the outcomes it wants to achieve for people who live and work in West Sussex. It focuses on four priorities, all of which are underpinned by a cross-cutting theme of tackling climate change. The award of this construction contract adheres to these priorities as follows:

- 1) Keeping people safe from vulnerable situations (such as new CCTV see Para 7.5 Crime and Disorder).
- 2) A sustainable and prosperous economy (such as the introduction of new 'greening' see Para 7.4 Climate Change),
- 3) Helping people and communities to fulfil their potential (such as the addition of new seating for vulnerable users, see 7.3 Equality).
- 4) Making the best use of resources (such as refurbishing existing stone footway materials and reusing granite kerb stones).

7.2 Legal Implications

7.2.1 The key legal arrangement is in the form of a contract for the construction. This will be via the Highways Services Contracts - Lot 6 - Infrastructure Improvement Planned Works (for projects less than £2m in value) NEC4 form of contract. This framework commenced on the 01 April 2020 and runs for four years and is an established route to construction with five pre-qualified contractors.

7.2.2 The contractor has been selected through the framework competitive tendering process, used frequently by WSCC, to undertake an appropriate procurement approach.

7.2.3 No land is required to provide the scheme. Works on Network Rail land are required and controlled through a Basic Asset Protection Agreement (BAPA) which WSCC has entered for design and construction. The contractor will provide, for the agreement with Network Rail and GTR, their risk assessments and method statements for the works and all traffic management and phasing of works proposals (which have been examined at tender stage by WSCC).

7.2.4 Traffic Regulation Orders have been identified in advance of the tendering process, for alterations to general car parking and waiting restrictions for the scheme.

7.3 **Equality duty and human rights assessment**

7.3.1 In the development of the scheme a full engagement process was undertaken as set out in paragraph 4. Key decision report [SSED05 22-23](#) sets out the detail of how the scheme addresses the Council's Equality Duty.

7.3.2 During the engagement process special interest groups were identified, especially those with visual disability. Direct engagement has taken place with this group to incorporate their concerns covering clear routes, differentiation of footway colours at crossing points and road crossing facilities.

7.3.3 The key Equality Duty areas for this contract, and the contractor are to ensure that all temporary access to and from the railway station, local shops and residences are clearly signposted, taking account of age and disability. This will include:

- Ensuring temporary routes are clearly marked, and free from trip hazards
- Agreeing with Rail Operators on temporary signs and directions for all, and especially those with visual impairments
- That, where necessary, temporary ramps and drop-off and pick-up facilities will be provided.

7.3.4 The County Council's NEC4 Site Supervisor, working in conjunction with Council Street works, Network Rail and GTR will ensure the contractor sets out clear phasing and temporary traffic management plans and that these are adhered to during the delivery of the works.

7.3.5 Monthly contract meetings will check and ensure the contractor is monitoring temporary works delivery and, in addition, contractor contact details will be provided on site hoardings and notices such that members of the public can raise concerns directly with the contractors site management team.

7.4 **Climate Change**

7.4.1 Full details of how the scheme addresses Climate Change were contained in the decision report [SSED05 22-23](#).

7.4.2 As part of the contractors approach to climate change, WSCC requires the contractor to consider the purchase of construction materials and transport to site to be, where possible, from within the county.

7.5 **Crime and Disorder**

7.5.1 Full details of how the scheme addresses Crime and Disorder were contained in the decision report [SSED05 22-23](#).

7.5.2 A construction compound is to be secured at land to the rear of HMRC Teville Gate House, in the ownership of WBC. This compound will be secured and protected by specialist equipment to deter break-in and thefts.

7.6 **Public Health**

7.6.1 The contractor is required to comply with all Statutory Regulations covering construction activities, especially the control of noise and dust. This will be monitored by county council staff and reviewed on a weekly basis. Any non-compliance will be raised with the contractor at the time and reported to the NEC Contract Manager for recording at fortnightly and monthly meetings.

7.7 **Social Value**

7.7.1 Social Value (SV) was a specific tender item in the quality submission and the contractor will deliver their stated SV undertaking during the delivery of the scheme. This will be monitored through the monthly contract meetings.

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Appendices

None

Background papers

None