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## **Performance & Finance Scrutiny Committee**

**28 November 2022**

### **Multi-Disciplinary Consultant – Plans for the New Contract**

**Report by: Andrew Edwards, Assistant Director Property and Assets**

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#### **Summary**

Following a rigorous procurement exercise, West Sussex County Council has appointed Faithful+Gould as its supplier for construction consultancy services with the contract to commence in July 2023 and continue for up to ten years, subject to performance. As the current incumbent, Faithful+Gould delivers construction consultancy services for the Council's built Capital Programme. The new contract comes into force in July 2023 whereupon Faithful+Gould will continue to deliver its services for the Council. Notwithstanding the continuity of supplier, a transition to the new contract will present an opportunity for changes, both minor and significant, in both process and innovation. It is the Council's intention to build on the strong performance and benefits delivered to date, improving the delivery of services where possible.

#### **Focus for Scrutiny**

The committee is asked to consider and comment on this report. Key lines of enquiry for scrutiny include:

- That the aims and ways of working of the partnering arrangement are clear and that they meet the needs of the Council Plan and the Capital Programme to ensure the priorities and targets of the County Council can be met. This should cover:
  - How the revised working arrangements will improve outcomes for the Council
  - How performance of the contract and its benefits will be measured and monitored
  - What other changes have been made and what these seek to achieve for the Council
- How value for money from the working arrangements with the Multi-Disciplinary Consultant (MDC) will be shown and what assurances Members can be given over the effectiveness of the contribution the MDC brings to capital projects and the asset strategy
- What will be the MDC's role in the Council's climate change strategy and plans for reducing the carbon footprint of the Council
- Whether any significant risks have been identified and to seek assurance of the effectiveness of actions planned to manage these

#### **1. Background**

1.1 A rigorous procurement exercise was carried out from May to August 2022 to appoint a supplier to deliver the multi-disciplinary consultancy (MDC) services for the Council's built Capital Programme using a single-supplier partnership model of delivery. This model of delivery has been in place with Faithful+Gould from

July 2018 to present, delivering value and benefits for the Council. The current contract is due to expire in July 2023, so it was essential to procure a supplier to deliver the required consultancy services upon expiration of the current agreement.

- 1.2 Considerable research, engagement and planning took place prior to the procurement exercise, with all departments that deal with the MDC asked to contribute during the process. Other delivery models and options were considered. It was determined the single-supplier partnership model of delivery was the best solution for the Council's requirements. This approach was endorsed by the Cabinet Member for Finance and Property in May 2022. Decision notice FP04-22-23 refers.

## **2. The Procurement**

- 2.1 The procurement was through a compliant framework via a mini-competition process. Four tenders were submitted. Tenders were scored based on a set of scoring criteria, marking across both commercial and quality questions, including social value.
- 2.2 Having learned the lessons of the previous procurement in 2017/18, this exercise involved a broad array of Council officers in the evaluation process. Considerable effort was made to bring in officers from across the organisation who would deal with the MDC in practice. A range of perspectives and requirements contributed to the robust evaluation.
- 2.3 Faithful+Gould's tender received the highest overall score, making its tender the most economically advantageous offer received.
- 2.4 Faithful+Gould's tender included offers of innovation and added value, comprising but not limited to:
  - Implementation of digital solutions for programme management, quality control, market insights, contract management and others
  - Mentorship and training for Council staff members, including support with professional qualifications
  - Project pipeline reviews for prioritisation and alignment with strategic priorities
  - Social value advisory, delivery systems and planning and support

## **3. Plans for Working with the New Partner**

- 3.1 The County Council and Faithful+Gould together will build on the successes of the first version of the partnership while making refinements, improvements and innovations to get the most out of the arrangement.
- 3.2 A 6-month mobilisation period will take place from January – June 2023, during which time new processes may be trialled, training will be delivered and the existing contract arrangements will be wound down. By utilising the mobilisation period, the MDC partnership will be fully prepared to deliver at pace from the inception of the new contract in July 2023.
- 3.3 Firm plans for working with the delivery partner include:

- A robust onboarding and training programme will be delivered for all staff working with the partnership
- Refresher training will be delivered for all staff on an annual basis
- Governance arrangements for the contract will include routine monthly monitoring meetings, quarterly contract reviews and annual reports
- Performance in delivery will be tracked using key performance indicators across time, cost and quality
- Programme-level performance will be monitored using key performance indicators, tracking supply chain spend and locality, social value performance
- Issues will be documented in an issues log and dealt with during the monthly monitoring meetings
- Introduction of Multiple Level Risk Estimating on projects for more sophisticated planning and management of contingencies
- Where applicable, the introduction of sensitivity analysis

3.4 Topics still under consideration for working with the new partner include:

- Frequency and logistics of co-locating staff, as working patterns have shifted significantly since the first partnership
- The implementation of construction contract management and reporting software such as CEMAR for more robust and structured contract monitoring with Faithful+Gould
- Developing the capital programme office for increased pipeline visibility, with the offer of added value from the service partner
- The results of any pending review into Council governance and decision-making processes, and how they interact with our business with Faithful+Gould

3.5 Lessons Learned from External Review

- An external review carried out by Hampshire County Council (HCC) Property Services identified several areas where West Sussex County Council has the opportunity to make improvements and learn from its past projects, including project approvals, governance and decision-making processes. The Council and Faithful+Gould will work together to implement improvements arising from lessons learned.

## **4. Key Risks**

- 4.1 Key risks at this stage include ensuring the contract is executed in November 2022, and the potential disruption to projects as the commissions transfer to the new agreement.
- 4.2 The Council's Legal Services is treating this contract as a priority item and has been involved at every stage of the consultation and procurement, so they are well placed to deliver the contract in time.
- 4.3 Projects will be transferred to the new agreement on a project-by-project basis, at the point of least disruption for each piece of work. Forward planning will take place to ensure that new projects starting in the Spring and Summer 2023 are started on the new agreement's terms, where possible.

## **5. Transition Arrangements**

- 5.1 A period of transition will take place during which existing projects with live task orders will continue under the existing contract terms and rates. At the point of

least disruption, on a project-by-project basis, live projects will be transitioned to the new contract terms and rates. Every effort will be made to ensure project teams are kept consistent.

- 5.2 A review of live projects will take place during the mobilisation period, with a transition plan made for each one as to when the most appropriate time is to instruct new work under the future agreement.

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