

7 APRIL 2022

<b>REPORT TITLE:</b>	<b>PROFESSIONAL SERVICES – CONTRACT AWARD LOT 4 &amp; LOT 11</b>
<b>REPORT OF:</b>	<b>GRAHAM ROE, INTERIM DESIGN &amp; COMMISSIONING SENIOR MANAGER, NEIGHBOURHOOD SERVICES</b>

## **REPORT SUMMARY**

In accordance with the council's updated Executive Decision Making process, this report seeks approval to appoint external resource to provide ad-hoc support in the Highways and Infrastructure service to support the delivery of the council's statutory maintenance function as well as its regeneration, and growth objectives.

This report aligns with two themes within the Wirral Plan 2021-2026:

- Working for a 'Sustainable Environment' that leads the way in its response to the climate emergency and is environmentally friendly.
- Working for 'Safe and Pleasant Communities' where our residents feel safe, and where they want to live and raise their families.

This matter is a Key Decision in respect of value.

The matter affects all wards as work under these contracts could be undertaken across the borough.

## **RECOMMENDATIONS**

The Assistant Director for Highways and Infrastructure is requested to:

Approve the award of contracts via the Merseytravel Consultancy Services Multi Party Framework Agreement 2019, subject to completion of process in accordance with the council's Contract Procedure Rules, as follows:

- 1) Amey Consulting Limited - Civil Engineering Consultancy Support (Lot 4), highway improvement, highway maintenance, surface water drainage, street lighting, public realm and bridge maintenance capital projects up to a total value of £300,000 over two years (including potential 1 year extension) as set out in section 3.0;
- 2) Mott MacDonald Limited - Highways Infrastructure Consultancy Support (Lot 11), outline and detailed design, contract document preparation, contract procurement advice and NEC3 'Project Manager' or 'Supervisor' roles on highways capital

projects, inspections, asset management up to a total value of £600,000 over two years (including potential 1 year extension) as set out in section 3.0.

## **SUPPORTING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATIONS**

- 1.1 Consultancy support is required to provide ad-hoc support services to supplement in-house resources for Lot 4 in highway improvement, highway maintenance, surface water drainage, street lighting, public realm and bridge maintenance.
- 1.2 Consultancy support is required to provide ad-hoc support services to supplement in-house resources for Lot 11 in outline and detailed design, contract document preparation, contract procurement advice and NEC3 'Project Manager' or 'Supervisor' roles on highways capital projects, technical inspections and asset management.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Do Nothing: this option has been rejected as failing to progress and establish a Professional services Contract would compromise Wirral Council's ability to meet statutory obligations, deliver Capital programmes and support the aspirations of the Wirral Plan 2021-2026.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The in-house Design & Commissioning team is fully engaged in delivering major regeneration projects, Structural Maintenance and Combined Authority Transport Plan Capital programmes. The in-house Network Management and Highway Maintenance Teams are fully engaged delivering highway and bridge maintenance and improvement schemes across the Borough.
- 3.2 The council has significant regeneration plans across the Borough. The Design & Commissioning Team will be fundamental in delivering these projects along with providing technical advice for pipeline projects. The Highway Maintenance and Network Management Teams provide a statutory function to ensure that council's roads, bridges and culverts are maintained and improved where necessary in accordance with relevant technical standards.
- 3.3 The Highways and Infrastructure service does not have the necessary in-house resources to deliver all the highways-related regeneration projects. In addition, the service does not have the internal resource to maintain and improve all the council's bridges and culverts. To maintain continuous service delivery, multi-disciplinary external consultants (Lot 4 & Lot 11) are required to support the council's in-house resources. Accordingly, support services are required imminently and will be managed directly using existing in-house council resources.
- 3.4 The direct recruitment of staff within Highways and Infrastructure has been challenging. Appointing specialist support through the established Merseytravel Consultancy Services Multi Party Framework Agreement enables the council to source competent staff or project commissions for high quality stand-alone project

work. This provides the council the flexibility to change the level of resources to address peaks and troughs in its workload.

- 3.5 Using established specialist support rather than traditional employment agency agreements reduces the risk of agency staff moving on at short notice, potentially leaving the service under-resourced at critical times.

### 3.6 Procurement process

3.6.1 Procurement of Consultancy Support is proposed via the Merseytravel Consultancy Services Multi-Party Frameworks Lot 4 and Lot 11. The hourly rates offered through these frameworks are considered to represent good value for money in the present market. The frameworks have been successfully used by Wirral Council for Civil Engineering Services (Lot 4) over the past 36 months and Transport Professional Services (Lot 7) over the past 28 months. This route is likely to offer better value than alternative procurement routes. At this stage it is envisaged that:

- Lot 4 services may be required up to a maximum total fee value of £200,000 between November 2021 and October 2023, extendable by a further 12 months (up to an additional fee value of £100,00) subject to performance, but there will be no guarantee of the type, timing, quantity or value of work that will be issued through the contract.
- Lot 11 services may be required up to a maximum total fee value of £400,000 between November 2021 and October 2023, extendable by a further 12 months (up to an additional fee value of £200,00) subject to performance, but there will be no guarantee of the type, timing, quantity or value of work that will be issued through the contract.

3.6.2 A mini-competition between interested suppliers within the relevant framework lots has been administered by the Council's Procurement team through the Due North electronic tendering portal, The Chest. The evaluation was on a 50% (price) / 45% (quality) / 5% (social value) ratio, and based on an assumed schedule of hours for each staff grade in the framework, generating an indicative price offer, with an optional discount provision, together with a quality statement and social value submission, which has been assessed in accordance with instructions that provided at the time of tender.

3.6.3 Three tenders were received for the Lot 4 Contract by the due date and have been evaluated, with moderation of the process by the Council's Procurement service, as follows:

Tenderer	Price (50%)	Quality (45%)	Social Value (5%)	Total Score (100%)
Amey OW Ltd	£94,410	100%	51.9%	97.6
Tenderer 2	£117,671.50	90.54%	70%	84.36

Tenderer 3	£124,250	89.19%	43.41%	80.30
------------	----------	--------	--------	-------

Consequently, the tender from Amey OW Ltd is the most economically advantageous and is recommended for acceptance.

3.6.4 Two tenders were received for the Lot 11 Contract by the due date and have been evaluated, with moderation of the process by the Council's Procurement service, as follows:

Tenderer	Price (50%)	Quality (45%)	Social Value (5%)	Total Score (100%)
Mott MacDonald	£124,250	100%	75%	98.75
Tenderer 2	£147,408.30	100%	54.26%	89.86

Consequently, the tender from Mott MacDonald is the most economically advantageous and is recommended for acceptance.

#### 4.0 FINANCIAL IMPLICATIONS

4.1 The Lot 4 and Lot 11 commissions will be funded from existing, approved, Capital Programme budgets.

#### 5.0 LEGAL IMPLICATIONS

5.1 The procurement exercise for the contract award has been carried out in accordance with the Council's Constitution, Contract Procedure Rules, and National Procurement Regulations, through the Merseytravel Consultancy Services Multi-Party Framework, for which Wirral Council entered into an Access Agreement in 2019.

#### 6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 **ICT:** As part of this commission, access to the Council's ICT systems will be required for staff working on secondment.

**Staffing:** additional ad hoc transport professional services support as outlined in section 4.0 will be required to supplement existing staffing resource to ensure the successful delivery of various work streams. All commissions and external support staff will be managed by existing in-house staffing resources.

**Assets:** No implications.

#### 7.0 RELEVANT RISKS

7.1 Failure to complete the procurement would result in a failure to support the priorities of the Liverpool City Region Transport Plan for Growth and the Council's existing regeneration and growth corporate goals and objectives.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Engagement has been undertaken with the council's Procurement team at all stages.
- 8.2 There are no statutory consultation requirements as part of the Lot 4 and Lot 11 commission awards.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. Equality implications are embedded with the procurement procedures from application to contract award and monitoring. No specific EIA has been produced in respect of this report.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Individual design commissions will address environmental and climate emergency implications accordingly.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 Sustainable travel is at the heart of the Birkenhead 2040 Framework and emerging Local Plan. Project designs via these commissions will part of a wider programme to deliver a prosperous, inclusive economy to benefit local residents. Such commissions will have a positive impact on removing barriers to active travel and encouraging a switch from motorised for short journeys.
- 11.2 The projects designed as part of the commissions will support the reduction in energy consumption as it will support the Cool 2 target of 'a complete transition to fossil fuel free local travel by around 2030'.
- 11.3 Gear Change, the Governments Cycling Strategy, identifies that mode shift to active transport is one of the most cost-effective ways of reducing transport emissions and that meeting the targets to double cycling and increasing walking would lead to savings of £567million annually from air quality alone and prevent 8,300 premature deaths each year and provide opportunities to improve green spaces and biodiversity.
- 11.4 Each commission has costed social value commitments that will deliver local community benefits and will be monitored throughout the life of the contracts as follows:

Social Value Commitment for Lot 4 Commission:

- No. of local direct employees (FTE) hired or retained (for re-tendered contracts) on contract for one year or the whole duration of the contract, whichever is shorter.  
1 FTE - £30,353
- No. of staff hours spent on local school and college visits e.g. delivering careers talks, curriculum support, literacy support, safety talks (including preparation time)  
72 hours - £1,157.04
- No. site visits for school children or local residents  
2 visits - £128.56
- No. of weeks of training opportunities on the contract (BTEC, City & Guilds, NVQ, HNC) that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+  
76 weeks - £19,642.20
- No. of weeks of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+  
190 weeks - £39,406
- No. of weeks spent on meaningful work placements or pre-employment course; 1-6 weeks student placements (unpaid)  
4 weeks - £632.92
- Number of voluntary hours donated to support VCSEs (excludes expert business advice)  
48 hours - £771.36
- No. of employees provided with workplace screening (e.g. questionnaire) and support (e.g. at least six session of cognitive behavioural therapy) for anxiety and depression  
12 Employees - £1621.32

Social Value Commitment for Lot 11 Commission:

- No. of local direct employees (FTE) hired or retained (for re-tendered contracts) on contract for one year or the whole duration of the contract, whichever is shorter

3 FTE - £91,059

- No. of employees (FTE) hired on the contract who are Not in Employment, Education, or Training (NEETs) as a result of a recruitment programme  
1 FTE – £13,636
  
- No. of staff hours spent on local school and college visits e.g. delivering careers talks, curriculum support, literacy support, safety talks (including preparation time)  
30 hours - £482.10
  
- No. site visits for school children or local residents  
30 hours - £1928.40
  
- No. of weeks of training opportunities on the contract (BTEC, City & Guilds, NVQ, HNC) that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+  
72 hours - £18,608.40
  
- No. of weeks of apprenticeships on the contract that have either been completed during the year, or that will be supported by the organisation until completion in the following years - Level 2,3, or 4+  
12 hours - £2488.80
  
- No. of hours dedicated to support young people into work (e.g. CV advice, mock interviews, careers guidance) - (under 24 y.o.)  
10 hours - £1256.20
  
- No. of weeks spent on meaningful work placements or pre-employment course; 1-6 weeks student placements (unpaid)  
6 weeks - £949.38
  
- Total amount (£) spent in LOCAL supply chain through the contract  
£25,800
  
- Equality, diversity and inclusion training provided both for staff and supply chain staff  
26 hours - £2498.86



- Number and type of initiatives to be put in place to reduce the gender pay gap for staff employed in relation to the contract (describe and document initiatives)  
£5400
- Car miles saved on the project as a result of a green transport programme or equivalent (e.g. cycle to work programmes, public transport or car-pooling programmes, etc.)  
219000 miles - £5737.80

**REPORT AUTHOR:** **Graham Roe**  
*Interim Design & Commissioning Senior Manager – Neighbourhood Services*  
 telephone: (0151) 606 2134  
 email: [grahamroe@wirral.gov.uk](mailto:grahamroe@wirral.gov.uk)

**APPENDICES**

None

**BACKGROUND PAPERS**

Tender information which is commercially sensitive and is located on the Chest tendering portal and has been used in the preparation of this report.

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date
None	