

OFFICER DECISION NOTICE

REPORT TITLE:	AWARD OF CONTRACT - B3 TRAFFIC MANAGEMENT
REPORT OF:	ASSISTANT DIRECTOR: HIGHWAYS AND INFRASTRUCTURE

REPORT SUMMARY

This report recommends acceptance of a tender from Traffic Direct Limited, company number 05552434, for the provision of traffic management works within Wirral.

This contract provides a traffic management service to assist the Council in the safe and effective delivery of highway projects. Traffic Direct Limited will provide all aspects of traffic management including resources, vehicles, and equipment required for road works, closures, or diversion routes necessary for carrying out routine and emergency highway operations.

The report supports the Council Plan Wirral Working Together 2023-27, specifically the themes: People-Focussed Regeneration and Safe, Resilient and Engaged Communities and Protecting Our Environment.

The appendix 1 to this report is exempt from publication under paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person [including the authority holding that information] and the public interest in maintaining the exemption outweighs the public interest in disclosure.

This matter affects all wards and is a key decision.

RECOMMENDATIONS

The Director of Neighbourhood Services is recommended to:

1. endorse the competitive tendering exercise that is outlined in paragraph 3 of this report; and
2. award the contract for Traffic Management within Wirral to Traffic Direct Limited, company registration number 05552434, as the most economically advantageous tenderer for an estimated contract value of £800,000 for a term of 4 years.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION

- 1.1 This contract provides a traffic management service to assist the Council in the safe and effective delivery of highway projects. Traffic Direct Limited will provide all aspects of traffic management including resources, vehicles, and equipment required for road works, closures, or diversion routes necessary for carrying out routine and emergency highway operations.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Do Nothing. This was discounted as traffic management is required when carrying out works safely on the highway.
- 2.2 Extend the current contract. This was discounted as the current contract did not have an option available to extend.

3.0 BACKGROUND INFORMATION

- 3.1 In 2018 the Council brought highway service delivery back in-house using a small direct workforce supported by a number of tendered contracts. The continued delivery of the Council's highway service via an in-house plus top-up model, was approved by this committee on 16 March 2021.
- 3.2 This is one of several contracts, which the Council needs to award in order to maintain the Council's highway service delivery provision. The contract has an indicative value of £800,000 based upon works likely to be issued over the contract term of 4 years. The annual contract value is estimated to be £200,000 with no option to extend the contract.
- 3.3 The Council's e-tendering portal was used to conduct an Open Tender procurement process. Fifteen companies submitted a tender including Traffic Direct Limited. All tenders were evaluated on price 50%, quality 40% and social value submissions 10% and moderated with the Council's Procurement Team. Details of the tender evaluation are set out in the exempt Appendix 1.
- 3.4 The Quality element of the tender return was evaluated by 3 officers from the Highway Maintenance team, completing individual scoring sheets. Quality was evaluated on 5 method statements submitted by each contractor including:
- Operational, Quality and Methodology;
 - Health Safety and Environment;
 - Construction Management; and
 - Supply Chain Management and Public Engagement.
- 3.5 The Pricing element of the tender return was scored separately by the Quantity Surveyor on the Commercial Team, who assessed the proposed Price List rates against a "basket of works."
- 3.6 The tenderers submit a Social Value Themes, Outcomes and Measures workbook as part of their tender submission; this outlines their proposed commitments

throughout the course of the contract. Throughout the term of the contract, the contractors submit a Social Value Return workbook direct to the Social Value team.

- 3.7 Finally, the quality, pricing and social value scores are brought together by Procurement in a weighted "evaluation matrix" which determines the preferred tenderer. Exempt appendix 1 sets out the Tender Evaluation process. The tender submitted by Traffic Direct Limited represents the most economically advantageous tender received and Social Value Statements provided as part of the tender submission had realistic and achievable values.

4.0 FINANCIAL IMPLICATIONS

- 4.1 Funding for works to be delivered under this contract derives from the Council's revenue budget and capital budget for highway maintenance from the annual transport settlement grant through the City Region Sustainable Transport Settlement.
- 4.2 There are no additional financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 41 of the Highways Act 1980 imposes a duty on the Council, as Highway Authority, to maintain highways at the public expense.
- 5.2 The open procurement exercise for the commissioning of the Traffic Management contract and the appointment of Traffic Direct Limited complies with the provisions of the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.
- 5.3 A contract for the works and services will be prepared by the Director of Law and Corporate Services to protect the Council's interests and ensure the deliverables under the contract are of satisfactory quality and standard.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 This proposed contract will enable the council to fulfil its statutory requirements as a highway authority. There are no additional staffing, ICT or assets implications.
- 6.2 Award of the contract will be carried out within the existing directorate structures.
- 6.3 The recommendations do not affect directly employed staff. Variation of the contract will be managed internally from within existing directorate structures.

7.0 RELEVANT RISKS

- 7.1 Failure to have sufficient contractor support to provide traffic management could result in the Council not providing a safe environment for people who work on the highway, and the public whilst carrying out maintenance works in accordance with the Highways Act 1980.
- 7.2 Failure to have sufficient contractor support to undertake a programme of planned highway maintenance works could result in reputational damage to the Council and potentially the Liverpool City Region Combined Authority and may affect future funding allocations. It would also result in a failure to support the delivery of the priorities of the Liverpool City Region Combined Authority Transport Plan.

Consequently, this could result in the loss or clawback of already allocated grant funding.

- 7.3 Potential risks related to the performance of the contracts will be monitored via robust contract management arrangements to ensure standards are met during the lifespan of the contract.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 The decision to proceed to contract award has no specific consultation implications.

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.
- 9.2 The Highways Structural Maintenance Programme Equality Impact Assessment, has been reviewed, is still valid and can be viewed here: –

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

The PDF file may not be suitable to view for people with disabilities, users of assistive technology or mobile phone devices.

Please contact ts-highwaymaintenance@wirral.gov.uk if you would like this document in an accessible format.

10.0 ENVIRONMENT, BIODIVERSITY AND CLIMATE CHANGE IMPLICATIONS

- 10.1 Sustainable travel is at the heart of the Council's Climate Emergency declaration, and providing a safe and well-maintained highway is key to encouraging active travel, with cycling and walking. All relevant opportunities for innovation and efficiency to generate cost and carbon emission savings will be explored with the supplier during the term of the contract.
- 10.2 A resilient highways network is critical to the delivery of bus priority measures and high-quality walking and cycling route surfaces. As well as reducing noise and improving air quality promoting increased cycling and walking with better infrastructure will help combat climate change. By encouraging and enabling people to travel more on foot and by cycle instead of private car harmful emissions will be reduced. Promoting active travel can result in reduced emissions of nitrogen dioxide particulate matter and carbon dioxide helping to tackle climate change and improve air quality.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 Traffic Direct Limited has provided a costed Social Value submission to deliver local community wealth benefits that will be monitored throughout the life of the contract.

11.2 It is considered that the B3 Traffic Management Contract helps deliver Wirral’s wider Community Wealth Building commitments to deliver a prosperous, inclusive economy that benefits residents and supports the principles of community wealth building.

11.3 The contract supports several key Community Wealth Building aims, including:

- Local Employment – creation of local employment and training opportunities
- Maximising the Wirral Pound – buying supplies locally wherever possible to support business and employment;
- Green and Sustainable- protecting the environment, minimising waste and energy consumption; and
- using other resources efficiently, within the contractor’s supply chain.

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APPENDICES

Appendix 1- Confidential details of Tender Evaluation.

The appendix 1 to this report is exempt from publication under paragraph 3 of part 1 of Schedule 12A of the Local Government Act 1972 (Information relating to the financial or business affairs of any particular person [including the authority holding that information] and the public interest in maintaining the exemption outweighs the public interest in disclosure.

BACKGROUND PAPERS

Highways Act 1980
Social Value Policy
Procurement Act 2023

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Environment, Climate Emergency and Transport Committee	16 March 2021