

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	STRATEGIC ENVIRONMENT PLANNING & TRANSPORT COMMITTEE		
DATE:	16 NOVEMBER 2022	AGENDA ITEM:	
TITLE:	BRIDGES & STRUCTURAL TERM CONSULTANCY CONTRACT		
LEAD COUNCILLOR:	COUNCILLOR TONY PAGE	PORTFOLIO:	CLIMATE STRATEGY & TRANSPORT
SERVICE:	ENVIRONMENTAL & COMMERCIAL SERVICES	WARDS:	BOROUGHWIDE
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1. PURPOSE OF THE REPORT AND EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to inform the Committee of the procurement process for the Bridges & Structural Term Consultancy Contract and to seek authority to enter into a framework arrangement using the SCAPE / Perfect Circle Framework Contract to deliver the essential maintenance of the Council's bridges & structural assets.
- 1.2 To provide delegated authority to enter into the SCAPE / Perfect Circle Contract.
- 1.3 Appendix 1: Financial Implications Report

2. RECOMMENDED ACTION

- 2.1 That the Committee grants approval to enter into the SCAPE / Perfect Circle Bridges & Structural Term Consultancy Framework Contract, in accordance with the Council's Procurement Rules & Public Contracts Regulations 2015.
- 2.2 That the Committee grants delegated authority to the Executive Director for Economic Growth & Neighbourhood Services in consultation with the Lead Councillor for Environmental & Community Safety, the Assistant Director of Legal & Democratic Services and the Director of Finance to enter into relevant contracts required to undertake the Bridges & Structural Term Consultancy Service Contract, as per Section 4 of this report.

3. POLICY CONTEXT

- 3.1 The Corporate Plan 2022-2025 sets out the Council's priorities for Reading and provides direction for staff in delivering services to meet the needs of the communities within the Borough whilst working to a budget and Medium-Term Financial Strategy (MTFS) agreed at Council in February 2022.
- 3.2 The Council's Corporate Plan supports the maintenance of a secure and safe highway and strategic road network in order to ensure vital services are maintained, improve air quality and reduce carbon emissions, whilst accommodating the significant levels of planned economic growth.
- 3.3 The aim of the Bridges & Structural Consultancy Service is to secure the most effective use of resources in the delivery of high quality, best value public service. Our Local Transport Plan outlines investments in walking and cycling initiatives, public transport, and electric vehicle infrastructure that will make it easier for residents to make healthy choices, and feel the benefits of clean, green neighbourhoods.
- 3.4 To make travel more secure, safe and comfortable for all users of the public highway and to provide conditions that are as safe as reasonably practicable having regards to financial constraints and our statutory duties.

4. THE PROPOSAL

- 4.1 Reading Borough Council aim to provide a bridges & structural maintenance service that ensures the public highway is safe and supports a sustainable highway network. The Council aim to provide travelling conditions as safe as reasonably practicable having regard to the road hierarchy, 'Well-managed Highway Infrastructure - Code of Practice' October 2016, as well as the Highways Act 1980 Section 41.
- 4.2 The bridges & structural maintenance service is provided by the Council all year round.
- 4.3 Reading Borough Council as a Local Highway Authority are able to join the SCAPE / Perfect Circle Framework Contract and access a number of suitable consultants specifically servicing Reading and the surrounding area.

The benefit of SCAPE is that it provides Reading Borough Council access to local consultants that have local knowledge and experience, reduced carbon footprint, provides work opportunities for local residents and encourages partnership working with the Council.

- 4.4 A benchmarking exercise was carried out comparing consultancy rates of the SCAPE / Perfect Circle Framework Contract against other Framework Contracts, which showed that they are all similar and offer good value to Reading Borough Council.
- 4.5 The current term Bridges & Structural Consultancy Contract has come to the end of its term and the Council now need to renew the contract or join a

suitable accessible framework, in accordance with the Public Contracts Regulations 2015.

Options:

- 4.6 **Option 1:** To do an exceptions report to retain the existing bridges & structural consultant. This was discounted as the current contract rates do not fare favourably with the benchmarking carried out against several Framework Agreement Contracts that are available and there is a risk of challenge.
- 4.7 **Option 2:** Join a Local Council Framework Contract. This was discounted due to the high access fee costs payable, as well as increased rates to use their consultant.
- 4.8 **Option 3:** To go out to tender without having an interim consultant in place to deal with emergencies and to manage the huge bridge maintenance works programme underway. This was discounted due to the risk to Reading in meeting our statutory obligations and the failure to appoint the last time the contract was tendered in 2018.
- 4.9 **Option 4:** To join a suitable Framework Contract that provides good value to Reading and satisfies our statutory obligation to maintain our bridges & structural assets. **Recommended.**

Procurement

- 4.10 The estimated value of the Bridges & Structural Framework Contract is approximately £150k Revenue funding per Financial Year. The capital fees will be dependent on the capital works programmes that will be delivered and will be funded from those capital budgets.
- 4.11 The proposal is to join the SCAPE / Perfect Circle Framework Contract in accordance with the Public Contracts Regulations 2015.

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 Reading Borough Council's vision is:

To help Reading realise its potential - and to ensure that everyone who lives and works here can share the benefits of its success.

- 5.2 The Bridges & Structural Consultancy Term Contract will contribute to the Council's Corporate Plan 2022 - 2025 objectives of:
- Healthy environment - Keeping the town clean, safe, green and active
 - Inclusive economy - Enabling the infrastructure to continue to support the economy
 - Thriving Communities - Remaining financially sustainable and to ensure everyone has an equal chance to use the public highway

5.3 TEAM Reading values:

Together	Collaborative working approach between the Council, consultant, contractors and the public
Efficiency	Continue to explore efficiency savings within the contract
Ambitious	Investing into the public highway & streetlighting assets
Make a Difference	Providing a safe inclusive public highway network for all users

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 6.1 The Council declared a climate emergency at its meeting in February 2019 and as such recognises the need to minimise the climate impacts of its decisions. To this end, Council on 15th October 2019 formally adopted the ‘Unite Construction Charter’ where the Authority supports the ‘Get Britain Building’ campaign, which is aimed at supporting and sustaining the British construction industry. All relevant construction contracts will be required to comply with the Authority’s Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product Certification, or equivalent.
- 6.2 Tenders for any subsequent contracts that are necessary will be invited to submit Environmental Implications proposals which will form part of the quality element of the tender evaluation. A social value quality submission will also be required to be submitted with tenders and evaluation.
- 6.3 Tenders also need to include carbon reduction targets and improved sustainability within tender returns. The intent is to reduce the amount of carbon used to produce the materials at source, using recycled materials, lower temperature materials, reducing the uncontrolled waste in the environment to reduce pollution of the natural environment, use of electric vehicles and plant, sourcing green energy supplies, as well as how they will achieve their own carbon reduction targets.
- 6.4 A Climate Impact Assessment has been conducted, which considers a net ‘low-positive’ impact as a result of the SCAPE / Perfect Circle Bridges & Structural Consultancy Contract, as suitable consultants had to demonstrate that their carbon reduction programmes are viable and accountable. The scheme will support the Council’s Transport Strategy, which is focused on encouraging the use of sustainable transport, walking and cycling as attractive alternatives to the private car. The Council will continue to explore options to reduce its own carbon footprint, as well as those consultants working for Reading.
- 6.5 The Reading Climate Emergency Strategy, which was endorsed by the Council in November 2020, highlights the importance of adapting to climate impacts as well as reducing the emissions which are driving climate change.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1 Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".
- 7.2 The public can report concerns with bridges & structural safety on the public highway and the strategic network.
- 7.3 This report will be available on the Council's website following the Strategic Environment, Planning & Transport Committee approval processes.
- 7.4 There is no fundamental change to delivering the Bridges & Structural Consultancy Service and an annual report is brought to a Council Committee in March each year to outline the delivery of the service during the current Financial Year and the proposed programme for future Financial Years. These reports are available on the Council's website.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The Bridges & Structural Consultancy Service programme consists of maintaining the Council's existing public highway and structural assets on the network in a safe working condition. There is no overall change to service delivery at this time and all users will have a safe & efficient public highway network. Should any future updates/amendments be required, which result in service delivery changes, an equality impact assessment will be carried out.

9. LEGAL IMPLICATIONS

- 9.1 It will be necessary to enter into a Term Contract with SCAPE / Perfect Circle Framework.
- 9.2 The contract process will be in accordance with the Council's Contract Procedure Rules and the principles of the Open Process as defined by the Public Contract Regulations 2015 ("the Regulations").
- 9.3 The Borough Council, as Highway Authority, has a duty under the Highways Act 1980 Section 41 to ensure, so far as is reasonably practicable, that safe passage along a highway and (Section 90) for the protection of Bridges.

10. FINANCIAL IMPLICATIONS

- 10.1 The costs of the Bridges & Structural Consultancy Service Contract of up to £0.150M per year proposed in this paper will be met from existing Highways & Traffic Services Revenue Budgets.
- 10.2 The costs of capital works and associated fees will be funded through the capital grant funded programme, Local Transport Plan (LTP) Annual Bridges and Carriageway Award.

11. BACKGROUND PAPERS

- 11.1 None.