

Report to Cabinet

17 March 2021

Subject:	West Midlands Collaborative Framework Contract for the Provision of Professional Services for Highway Structures, Transportation and Development
Cabinet Member:	Councillor Jackie Taylor. Cabinet Member for Sustainable Transport
Director:	Interim Director of Regeneration & Growth Tammy Stokes
Key Decision:	Yes
Contact Officer:	Engineer, Trevor Chatwin trevor_chatwin@sandwell.gov.uk

1 Recommendations

- 1.1 That approval be given to participate in the West Midlands Collaborative Framework Contract for the Provision of Professional Services for Highway Structures, Transportation and Development led by Birmingham City Council.
- 1.2 That the Director of Law and Governance be authorised to execute any documents necessary to give effect to the recommendation at 1.1.

2 Reasons for Recommendations

- 2.1 The purpose of this report is to request approval to participate in a West Midlands Collaborative Framework Contract for the Provision of Professional Services for Highway Structures, Transportation and Development.



2.2 The scope of the Framework Agreement will provide Sandwell MBC with access to professional support from consultants for highway infrastructure works, including specialist advice and design services for our highway structures inspection programmes, bridge repair and maintenance schemes as well as for other highway-associated structures.

2.3 All participants in this Framework Agreement will be able to achieve cost savings and additional benefits through: a reduction in tendering costs; reduced contract administration; regional innovation; creativity and collaboration; improved customer service; delivery of social value benefits and improved measurement of outcomes.

3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people: Good, well maintained highway infrastructure will encourage more walking and cycling among our younger people increasing their wellbeing, improving road safety and promoting cleaner air quality.</p>
	<p>People live well and age well: The Highway environment plays an important role in the life of the community, particularly the positive opportunities that they can bring from social inclusion and interaction.</p>
	<p>Strong resilient communities: Good quality Highways infrastructure will make our communities feel safe, more protected and confident in their homes and neighbourhoods.</p>
	<p>A strong and inclusive economy: Our local highways are the arteries of our communities. They connect our residents to employment, education, local services and indeed the wider world. They enable economic growth, social mobility and are vital in ensuring good health outcomes.</p>
	<p>A connected and accessible Sandwell: Our residents will have excellent public transport that connects them to jobs across Sandwell, Birmingham, Wolverhampton, the airport and the wider West Midlands.</p>



4 Context and Key Issues

Legal and Statutory Implications

- 4.1 The principal statutory duty imposed on highway authorities to maintain the highway maintainable at public expense is set out in Section 41 of the Highways Act 1980.
- 4.2 The Traffic Management Act 2004 imposes a network management duty on the Council to manage day-to-day operational use of its highways to 'keep traffic moving'.

5 Alternative Options

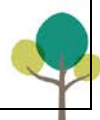
- 5.1 A decision not to participate in this new Framework Agreement would necessitate Sandwell awarding commissions for specialist professional services relating to bridge structures and other assets to Consultants on an individual basis. This would not enable framework savings to be realised and is not therefore a recommended option.

6 Implications

Resources:	Financial, staffing, land/building implications
Legal and Governance:	<p>The principal legal statutory duties imposed on highway authorities to maintain the highway structures are set out in the Highways Act 1980.</p> <p>Section 41 (1) of the Highways Act, provides that a highway authority is under a duty to maintain those highways in the area for which it is responsible.</p> <p>Section 130 of the Highway Act, provides for protection of public rights. It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority.</p>



	<p>The Council also has legal statutory duties to manage day-to-day operational use of its highways to 'keep traffic moving' under The Traffic Management Act 2004.</p> <p>The Framework Agreement has been developed in accordance with the Public Contracts Regulations 2015.</p>
Risk:	<p>There are no specific risk or resource implications. Any work undertaken through this framework will be funded utilising current budgets.</p> <p>The West Midlands Collaborative Framework Contract for Professional Services on Highways Structures will be used to support the delivery of the statutory duties outlined above, including the inspection, maintenance, repair and strengthening of highway structures funded from within approved capital programmes and revenue budgets.</p>
Equality:	<p>An Equality Impact Assessment (EIA) initial screening has been undertaken. The screening identified that there will be no adverse impact on people or groups with protected characteristics. A full EIA is not therefore required.</p>
Health and Wellbeing:	<p>The highway environment plays an important role in the life of the community, particularly the positive opportunities available from social inclusion and interaction. Participation in this West Midlands Collaborative Framework Agreement for Professional Services on Highways Structures will help ensure that our highways are maintained to a good standard, defects are identified and repairs completed to a required standard.</p>
Social Value	<p>Participation in this framework provides us the opportunity to share best practice, improve our performance and make efficiency savings by working collaboratively together with other members.</p>



	<p>Social Value will be assessed as part of the appraisal of mini-competitions let through stage of this framework. These would be expected to include: employment of local people; work placements and mentoring; working with local schools and community groups etc.</p>
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7. Appendices

None

8. Background Papers

Background Details

8.1 The Framework Agreement for The Provision of Professional Services for Highway Structures, Transportation and Development has been prepared by Birmingham City Council.

8.2 The scope of the Framework Agreement will provide Sandwell MBC with professional support from consultants to deliver highway and specialist infrastructure works, including planning and development related services.

8.3 Any appointed consultant will be required to have the skills and range of staff available, in sufficient numbers and levels, to cover the full scope of activities needed to efficiently carry out the different types of commissions expected.

8.4 The Procurement process for the Framework Agreement began with the publication of a Contract Notice in the Official Journal of the European Union (OJEU) by leading Council, Birmingham City Council, following the open procurement procedure, in accordance with the requirements of the

Public Contracts Regulations 2015. Currently Birmingham City Council are the only Local Authority who are participating in this Framework Agreement.



- 8.5 Birmingham City Council have confirmed that the Procurement process has now been completed and that participation in the Agreement has been available for other local authorities since 1st September 2020. This Framework Agreement is made available for a 4-year period, with no option to extend.
- 8.6 Sandwell currently participate in a similar existing Framework Agreement which expires on 31st March 2021.
- 8.7 Approval is sought to participate in this new Framework Agreement from 1st April 2021 to ensure continuity of service.
- 8.8 Sandwell would expect to spend c£250,000 per year under this framework Agreement.
- 8.9 Projects undertaken using the new Framework Agreement will contribute to achieving the priorities and targets set out in the West Midlands Local Transport Plan 2011 – 2026, particularly to underpin private sector led growth and economic regeneration and to improve the health, personal security, and safety of people travelling in the West Midlands Metropolitan area.

