

Decisions of the Cabinet Member for Environment Services

29 November 2022

The following decisions are due to be taken by the Cabinet Member for Environment Services:-

- 1 Framework Agreement for Midlands Highway Alliance Professional Services Partnership 3 (MHA PSP3) for the Provision of Visual Condition Surveys for the West Midlands

A notice of decisions will be published.



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Report to Cabinet Member for Environment Services

Tuesday 29 November

Decision:	Framework Agreement for Midlands Highway Alliance Professional Services Partnership 3 (MHA PSP3) for the Provision of Visual Condition Surveys for the West Midlands
Cabinet Member:	Cabinet Member for Environment Services, Councillor Zahoor Ahmed
Director:	Director of Borough Economy, Alice Davey
Contact Officer:	Assistant Director Highway Services, Robin Weare robin_weare@sandwell.gov.uk Principal Officer Highway Services Kelly Adams kelly_adams@sandwell.gov.uk

1 Recommendations

1.1 That approval be given to:

use the Midlands Highway Alliance Professional Services Partnership 3 (MHA PSP3) Framework Agreement for the provision of Visual Condition Surveys for the West Midlands.

Sandwell MBC to act as the lead authority for this work on behalf of Coventry CC, Dudley MBC, Solihull MBC, Walsall MBC and Wolverhampton CC.

the Director of Law and Governance for authorisation to execute any documents necessary to give effect to the recommendations above.







1.2 That the Director of Borough Economy be authorised to approve the award of a contract for visual condition surveys through the MHA PSP3 Framework Agreement.

2 Reasons for Recommendations


2.1 The benefits derived from participation in the MHA PSP3 Framework Agreement will provide Sandwell MBC and partner authorities with professional support from the suitably qualified and experienced primary supplier, Aecom Infrastructure & Environment UK Ltd, to carry out visual condition surveys of roads as prescribed by the United Kingdom Pavement Management Systems (UKPMS) national standard for the assessment of local road network condition.

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

3 How does this deliver objectives of the Corporate Plan?

	<p>The 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. Well maintained highways make it much more likely that older people in particular will go for a walk.</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</p>



	growth, social mobility and are vital in ensuring good health outcomes.
	A Connected and Accessible Sandwell Our residents will have excellent public transport that connects them to jobs in Birmingham, Wolverhampton, the airport and the wider West Midlands.

4 Context and Key Issues

- 4.1 Sandwell MBC is the lead authority for this Framework Agreement on behalf of Coventry CC, Dudley MBC, Solihull MBC, Walsall MBC and Wolverhampton CC.
- 4.2 The total cost of services procured over the life of the Framework Agreement by all participating authorities is estimated to be £840,000.
- 4.3 The total cost of services procured over the life of the Framework Agreement by Sandwell MBC is estimated to be £120,000. This equates to approximately £30,000 per annum over a 4-year period.
- 4.4 The previous arrangement, commissioned under the NEC3 Term Service Short Contract, ended on 31st July 2022.
- 4.5 The Framework Agreement seeks to deliver value and efficiency by using shared resources, best practice procurement and project management principles. It is proposed to commence on 4th November 2022.
- 4.6 Sandwell Council has agreed to manage the purchase orders of each Participating Authority and will instruct the Contractor on behalf of the Participating Authority for the Term of this Agreement. Each Participating Authority will enter into an individual Management Agreement with Sandwell Council so as to be able to order the Services.
- 4.7 On an annual basis each Participating Authority will place purchase orders with Sandwell Council for their specific requirements. Sandwell Council will then place task orders with the Contractor covering each Participating Authorities requirements. Sandwell Council will then raise invoices to each Participating Authority for payment of their individual requirements.



5 Alternative Options

- 5.1 A decision not to participate in the Framework Agreement would necessitate Sandwell Council preparing, advertising and evaluating tender documentation.

6 Implications

<p>Resources:</p>	<p>Strategic Resources: There are no specific risk or resource implications. The actual services to be delivered through this Framework Agreement will be determined by each year's approved budget and although no guarantee of expenditure is given, it is estimated that the services to be procured by Sandwell Council over the life of the Framework Agreement will be circa £120,000. The PSP3 Process Manual ensures orders are clearly linked to the contract and meet the requirements of Time Charge and Work Orders Contract Data.</p>
<p>Legal and Governance:</p>	<p>The principal legal statutory duties imposed on highway authorities to maintain the highway are set out in the Highways Act 1980.</p> <p>Section 41(1) of the Highways Act 1980 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 Highways Act 1980 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>Sandwell Council, in carrying out transportation, highways and infrastructure related work, will also do so under other relevant primary legislation comprising the Road Traffic Act 1974; Road Traffic Regulation Act 1984; Local Government Act 1972; Traffic Management Act 2004; and Transport Act 2000 and other related regulations, instructions, directives and general guidance.</p>



	With regard to use of the Framework Agreement and awarding of the contract, compliance would be ensured with the Public Contracts Regulations 2015 and the Council's Procurement and Contract Procedure Rules.
Risk:	The risk of underperformance will be mitigated by the robust contract performance management activities of the Framework Agreement's Primary Supplier, Aecom Infrastructure & Environment UK Ltd and, will be discussed with individual authorities.
Equality:	There are no specific equality issues regarding the proposals contained in this report.
Health and Wellbeing:	The highway environment plays an important role in the life of the community, particularly the positive opportunities for social inclusion and interaction. Participation in this Framework Agreement will help ensure that our highways are maintained to a good standard, defects are identified and, repairs completed to the required standard.
Social Value:	The Framework Agreement adheres to Sandwell's Social Value benefits providing opportunities to meet Sandwell's key criteria requirements by providing value for money in terms of generating benefits to society and the economy e.g. employment and skills, health and wellbeing whilst minimising the impact on the environment. Utilising the Framework Agreement represents best value for Sandwell Council at a time when resources are limited and the demand for many services is increasing.
Climate Change:	Collecting highway data using visual condition surveys has a negligible detrimental impact on greenhouse gas emissions. However, the data itself is invaluable in anticipating and predicting road condition deterioration trends and planning the most sustainable long term maintenance and improvement programmes for the Borough's highway network.

7. Appendices

None



8. Background Papers

Background details

- 8.1 Leicestershire County Council is the procuring authority for the Midlands Highway Alliance Professional Services Partnership 3 (PSP3) acting on behalf of the Midlands Highway Alliance (MHA) of which Sandwell MBC and all other partner authorities, listed in item 4.1 above, are members.
- 8.2 The scope of the Framework Agreement will provide Sandwell MBC with professional support from the suitably qualified and experienced primary supplier Aecom Infrastructure & Environment UK Ltd to carry out visual condition surveys of roads as prescribed by the United Kingdom Pavement Management Systems (UKPMS) national standard for the assessment of local road network condition.
- 8.3 THE PSP3 Framework Contract is based upon the NEC4 Framework Contract.
- 8.4 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.

