

Report to Cabinet

3 November 2021

Subject:	Award a Contract for Superimposed Road Markings, Specialist Surfacing and Studs
Cabinet Member:	Cllr Ahmad Bostan – Cabinet Member for Environment
Director:	Nicholas Austin – Interim Director of Borough Economy
Key Decision:	Yes
Contact Officer:	Robin Weare – Service Manager, Highways Robin.Weare@sandwell.gov.uk

1 Recommendations

- 1.1 That the Interim Director of Borough Economy be authorised to award a contract for the provision of Road Markings, Specialist Surfacing and Studs; for general maintenance of new and existing road markings around the Borough following a compliant competitive tender process in collaboration with Dudley MBC and Wolverhampton City Council.
- 1.2 That the Director of Law and Governance – Monitoring Officer be authorised to execute any documentation necessary to enable 1.1 above.
- 1.3 That any necessary exemptions be made to the Procurement and Contract Procedure Rules to enable the course of action referred to in 1.1 above to proceed.
- 1.4 That approval be given to Sandwell MBC entering into a collaboration agreement with Dudley and Wolverhampton for the provision of Road Markings, Specialist Surfacing and Studs; for general maintenance of new and existing road markings around the Borough.



2 Reasons for Recommendations

- 2.1 Authority is sought to authorise the Interim Director of Borough Economy, to approve and award the contract and accept a tender for the procurement of Superimposed Road Markings, Specialist Surfacing and Studs, once the evaluation process is complete following a compliant competitive tender exercise.
- 2.2 Road users and the wider community place a high value on keeping traffic moving safely around the Borough. Ensuring road markings are visible and understandable is vital for road safety. They communicate important information to road users, help them safely navigate the road network and highlight upcoming hazards. Failure to adequately maintain road markings can result in accidents, avoidable congestion, consequent adverse economic and social impacts, public dissatisfaction and significant reputational damage.
- 2.3 As the Local Highway Authority; the Council has a statutory duty to ensure the road is maintained in a safe and useable manner.
- 2.4 To meet this duty, routine maintenance of road markings is undertaken across the Borough. This incorporates both general road markings and those road markings which communicate restrictions such as double yellow lines and red routes.
- 2.5 The road marking contract is also used for the installation of advisory spaces for disabled badge holders.
- 2.6 The framework tender is a collaboration with Dudley Metropolitan Borough Council and Wolverhampton City Council in order that Sandwell can benefit from economies of scale and reduced tendering costs.



3 How does this deliver objectives of the Corporate Plan?

	Best start in life for children and young people Good, well maintained highway infrastructure will encourage more walking and cycling increasing wellbeing, improving road safety and promoting cleaner air quality.
	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.
	Good quality Highways infrastructure will make our communities feel safe, more protected and confident in their homes and neighbourhoods.
	Well maintained highways bring increased economic and physical activity and reduces wear and tear and accident damage.
	Our 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.

4 Context and Key Issues

- 4.1 Cabinet approval is sought for delegated authority to approve the award of a framework tender in collaboration with Dudley Metropolitan Borough Council and Wolverhampton City Council for a period of up to 4 years for Superimposed Road Markings, Specialist Surfacing and Studs.
- 4.2 The current contract for the supply of Superimposed Road Markings Specialist Surfacing and Studs expires on 31st January 2022.
- 4.3 The tendering exercise will aim to ensure seamless operations remain in place and to enable a smooth and efficient switch to the new contract.



- 4.4 The exercise will be carried out by Sandwell MBC acting as lead authority, in collaboration with Dudley MBC and Wolverhampton City Council who will utilise the contract to support their own road marking operations.
- 4.5 Many road markings are used to give effect to regulatory provisions and it is important that their legal status is not affected by undue wear or damage. A high proportion of road markings are essential for road safety or fundamental to the implementation of integrated transport policy, for example traffic calming schemes, bus priority measures and the delineation of cycle routes. If such markings are not kept in good order, the measures may lose effectiveness and the success of transport integration compromised.
- 4.6 It is anticipated that the combined value of the framework agreement over a 4-year period will be between £1,000,000 and £1,500,000, of which Sandwell's proportion is estimated to be approximately half based on historic usage.
- 4.7 The tender will be evaluated by 80% price and 20% quality with tender evaluation completed by both Sandwell and Dudley MBC.

5 Alternative Options

- 5.1 There are no recommended affordable alternatives to maintain existing road markings, specialist surfacing and Studs.



6 Implications

<p>Resources:</p>	<p>The actual services to be delivered through these Framework Agreements will be determined by each year's approved budget and although no guarantee of expenditure is given to contractors it is estimated that the services to be procured by the Council over the life of the agreement will be approximately £1,000,000 and £1,500,000.</p>
<p>Legal and Governance:</p>	<p>The principal statutory duty imposed on local highway authorities is to maintain the highway maintainable at public expense.</p> <p>The Council, in carrying out transportation, highways and infrastructure related work, will do so under the relevant primary legislation comprising the Highways Act 1980; 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> <p>The Traffic Management Act 2004 imposes a network management duty on a council to manage day-to-day operational use of its highways to 'keep traffic moving'.</p>
<p>Risk:</p>	<p>The Council has a duty to meet its legal obligations to mitigate service risks related to third party liability claims arising from accidents and injury due to condition of the highway.</p> <p>The key service risk relates to third party liability claims arising from accident and injury due to condition of the highway or non-compliance with statutory obligations. The duty is not absolute, but decisions must be taken on reasonable grounds with due care and regard to relevant considerations as set out in best practice guidance 'Well-managed Highway Infrastructure'.</p>



Equality:	There are no specific equality issues regarding the proposals contained in this report. The requirements of the Equality Act 2010 are included in the Framework Agreement Documentation to draw attention to the detail of, and the need to comply with, the Act.
Health and Wellbeing:	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.
Social Value	Not applicable in this instance.

7. Appendices

None

8. Background Papers

8.1 Tender documentation

8.2 Well-managed Highway Infrastructure – Code of Practice Last updated October 2016

