

# Report to Cabinet

**7 July 2021**

<b>Subject:</b>	Black Country Collaborative Framework Contract for Minor Highway Works 2021-2024/25
<b>Cabinet Member:</b>	Councillor Jackie Taylor. Cabinet Member, Connected and Accessible Sandwell
<b>Director:</b>	(Interim) Director of Borough Economy
<b>Key Decision:</b>	Yes  Results in the Council incurring expenditure of £250,000 or more where the service area budget exceeds £10m and  Effects communities living or working in an area comprising two or more wards of the Borough.
<b>Contact Officer:</b>	Robin Weare, Services Manager, Highways

## 1 Recommendations

- 1.1 That the Interim Director Borough Economy be authorised to award the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025, for the sum of £2.5m per year for period of up to 4 years, from 1<sup>st</sup> November 2021 to 31<sup>st</sup> October 2025.
- 1.2 That the Interim Director Borough Economy be authorised to extend the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025 by 1 year subject to satisfactory performance during the first 3 years.
- 1.3 That the Director – Law and Governance and Monitoring Officer be authorised to enter into appropriate contract for the Black Country Collaborative Framework Contract for Minor Highway Works 2021-2025.



1.4 That the Director of Law and Governance execute any documentation necessary to give effect to recommendations in 1.1 and 1.2.

## 2 Reasons for Recommendations

2.1 The purpose of this report is to request approval to procure in a new Black Country Collaborative Framework Contract for Minor Highway Works.

2.2 The benefits derived from the procurement of this regional Framework Contract will include delivery of projects necessary to improve the highway network and provide road safety measures, cost effectively and efficiently.

2.3 All participants in this Framework Contract will be able to achieve costs savings and additional benefits through the reduction in tendering costs, reduced contract administration and secure social value benefits.

## 3 How does this deliver objectives of the Corporate Plan?

	<p><b>Best start in life for children and young people:</b> Good, well maintained and safe highway infrastructure will encourage more walking and cycling among our younger people increasing their wellbeing and health, improving road safety and reducing road casualties and promoting cleaner air quality.</p>
	<p><b>People live well and age well:</b> A safe and well maintained highway environment plays an important role in the life of the community, particularly the positive opportunities that they can bring from health, independence, social inclusion and interaction.</p>
	<p><b>Strong resilient communities:</b> A good quality highway infrastructure will make our communities feel safe, more protected and confident in their homes and neighbourhoods.</p>
	<p><b>A strong and inclusive economy:</b> Our local highways are the arteries of our communities. They connect our residents to employment, education, local services and the wider world. They enable economic growth, social mobility and are vital in ensuring good health and economy.</p>





A connected and accessible Sandwell:  
Our residents will have excellent public transport that connects them to jobs and opportunities not only in the West Midlands region but across the nation

## 4 Context and Key Issues

### Legal and Statutory Implications

- 4.1 Highways Act 1980  
Delivery of highway network responsibilities
- 4.2 Road Traffic Act 1988  
Duty to prepare and carry out a programme of measures designed to promote road safety
- 4.3 Traffic Management Act 2004  
Network management duty to, as far as reasonably practicable, secure the expeditious movement of traffic on the authority's road network

## 5 Alternative Options

- 5.1 Without a current Highways Minor Works framework to enable quick and efficient use of contractors to undertake programmes of work, each project will require separate costly and timely tendering processes. In addition, Highway Services would need to utilise elements of other less suited framework contracts for urgent service provision. This would inevitably lead to long delays in delivering safety and infrastructure improvement projects, increased costs and potential reputational harm.

## 6 Implications

<b>Resources:</b>	Works undertaken utilising The Black Country Collaborative Framework Contract 2021-2024 will be funded through yearly revenue allocations and capital budgets and grants in relation to (but not exclusively), Integrated Transport Block, Challenge Fund, Active Travel Fund, Towns Fund, Better Streets Fund, Highway maintenance, road safety and development support.
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<b>Legal and Governance:</b>	<p>Highways Act 1980          Delivery of highway network responsibilities          Road Traffic Act 1988          Duty to prepare and carry out a programme of measures designed to promote road safety</p> <p>Traffic Management Act 2004          Network management duty to, as far as reasonably practicable, secure the expeditious movement of traffic on the authority's road network</p>
<b>Risk:</b>	<p>There are no specific risk or resource implications. The Black Country Collaborative Framework Contract for Minor Works will be used to support the delivery of the statutory duties outlined above and from approved capital programmes and revenue budgets.</p>
<b>Equality:</b>	<p>By initial inspection it is not believed that this decision discriminates against the protected characteristics. The requirements of the Equality Act 2010 are included in the Framework documentation to draw attention to the detail of, and the need to comply with, the Act</p>
<b>Health and Wellbeing:</b>	<p>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. The procurement of this Black Country Collaborative Framework Contract for Minor Works will help ensure there is a continuation of road safety improvement works on the highway network.</p>
<b>Social Value</b>	<p>The procurement of 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>Sandwell believes that the effective use of local, smaller or medium sized contractors unlocks significant benefits for the residents of Sandwell that goes beyond the first-order project derived Value for Money benefits, by making more holistic use of the economic funds available to us to compliment the Council's wider drivers to tackle poverty, inequality and lack of opportunities within the Borough.</p>



	The successful suppliers' offerings in respect of Social Value will be assessed as part of the Tender Appraisal stage of this framework. The successful suppliers tend to be local businesses, supplying employment opportunities for local people. The Highway Service will be working in conjunction with the Council's Social Value Officer to develop appropriate quantitative and measures on employment of local people, work placements and mentoring, working with local schools and community groups etc.
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## 7. Appendices

None

## 8. Background Papers

8.1 The scope of the Framework Agreement includes all minor civil engineering works associated with improving and protecting the highway network infrastructure. This can include, but is not limited to:

- Construction of new footways and carriageways.
- Associated highways landscape works.
- Installation of new highway drainage.
- Installation of new traffic signals and pedestrian crossings.
- Installation of bitumen and block paved surfacing.
- Installation of lighting columns, bollards and electrical connections.
- Installation of road marking, road signs, electronic message signs.
- Excavation, demolition and disposal of existing infrastructure.
- Infilling of redundant subway and associated demolition works.
- Protection to existing underground services.
- Implementation of off-highway civil engineering works on behalf of external and internal clients.

8.2 Contractors will be required to have the relevant and current accreditation and certification required to work on the public highway. Contractors will be expected to have the required skill set and range of experienced staff available, in sufficient numbers and level, to cover the range of activities needed to efficiently carry out all the different types of works as described in the framework.

8.4 The Framework Agreement will comprise of 3 Lots:



- Lot 1 for package orders up to £100,000
- Lot 2 for package orders between £100,001 and £500,000
- Lot 3 for package orders over £500,001

8.5 Sandwell Metropolitan Council will lead on the procurement process which will be undertaken collaboratively amongst the four Black Country Local Authorities, Birmingham CC and TfWM. From the 1st of January 2021, OJEU was replaced by a new UK e-tendering platform called 'Find a Tender' service (FTS). Consequently, the new Black Country Framework Contract for Minor Works (2021-2025) will be procured through the new FTS.

It is proposed that a number of suitable contractors will be appointed to each lot to ensure adequate resource is available to undertake all the required minor works across the relevant authorities, during the period of the framework.

8.6 The Framework Contract is proposed to commence on 1st November 2021, initially for a three year period up to 31<sup>st</sup> October 2024, with an option to extend for an additional 12 months until 31<sup>st</sup> October 2025, subject to satisfactory performance and budget availability.

8.7 Sandwell Council currently lead on a similar existing Framework Contract that commenced on 1st November 2016 and expires on 31st October 2021.

8.8 Therefore approval is sought, subject to completion of all the relevant procurement processes to award the new contract this new Black Country Collaborative Framework Contract for Minor Works 2021-2025 from 1st November 2021.

8.10 Sandwell would anticipate to award c£2,500,000 per year under this framework mainly using Local Transport Capital Grant Funding.

