

## **The Vale of Glamorgan Council**

### **Cabinet Meeting: 9 October, 2017**

### **Report of the Cabinet Member for Neighbourhood Services and Transport**

### **A4226 Five Mile Lane Road Improvement Scheme - Award of Contract for Main Works**

#### **Purpose of the Report**

1. To provide an update regarding the tendering process of the main works contract for the A4226 Five Mile Lane Highway Improvement Scheme ('the Scheme').

#### **Recommendation**

1. That Cabinet notes the content of this report and the intention to recommend the award of the main works contract associated with the Scheme, the details of which are the subject of a Part II report which follows later on this agenda.

#### **Reason for the Recommendation**

1. To advise Cabinet of the intention to award a contract and to allow the matter to be dealt with under Part II.

#### **Background**

2. Members will be aware of the progress of the Scheme and the current status of the compulsory purchase order and associated side road order made in connection with the Scheme. Members will also be aware that the Scheme main works contract was tendered via the Welsh Government's Sell2Wales site on 28th April 2017 and interested parties invited to submit tenders for the work (see minute C52). In light of the potential contract value, an OJEU notice has also been publicised and the deadline for the submission of tenders was 28th July 2017.
3. A detailed pack of tender documentation including information and guidance was provided to interested parties on the Sell2Wales site and in addition to this, mid-term clinic sessions took place between the 14th and 16th June with the interested parties. Interested parties also had the opportunity to ask questions regarding the tender process via the Sell2Wales portal and over 100 questions were answered by the contract technical team, which is made up of the Council's Project Management

Team and Capita, who are the Council's appointed 'Employer's Agent' under the Scheme.

4. Under the tender process, bidders were required to provide as part of their tender submission and in accordance with the tender guidance, both a technical submission and a commercial submission. The tender submissions were subsequently evaluated on the basis of 50% price and 50% quality by separate and independent technical and commercial groups resulting in a tender assessment report which is appended to the Part II report to be considered later on this agenda. The tender assessment report provides details of the evaluation and appraisal of the bids submitted
5. The Technical information had to contain answers to the Quality Questions provided and related to proposed contractor and consultancy staff and their experience; how the overall scheme would be managed and delivered; how certain risks would be dealt with by the contractor; how stakeholder and environmental management would be undertaken and what additional employment, training and regeneration benefits might be delivered as part of the contract. The Technical information was assessed by the Technical Group.
6. The Commercial information had to provide details of the prices related to the required activities under the contract; provide appropriate fee percentages; provide a priced budget assumptions report and price a risk register. The Commercial information was assessed by the Commercial Group who also ran a Compensation Event scenario against the prices submitted.
7. The Technical Group and the Commercial Group comprised completely different team members to ensure that price and quality were assessed independently of each other.

### **Relevant Issues and Options**

8. Following the tender process, 7 tenders were received in accordance with the instructions to tenders and these have been evaluated. The tender assessment report attached to the Part II report provides details of the evaluation of the bids submitted

### **Resource Implications (Financial and Employment)**

9. The Funding Agreement between the Welsh Ministers and the Vale of Glamorgan Council provides a budget of £25.8m to deliver the scheme.
10. The Part II Report proposes a contract award which would be within the budget allocation.

### **Sustainability and Climate Change Implications**

11. Sustainability and climate change issues have formed an integral part of the Works Information included within the tender documentation and the Contractor will be required to work in accordance with the strategies and mitigation plans that are being discharged under the conditions set out as part of the Planning Approval for the scheme.

### **Legal Implications (to Include Human Rights Implications)**

12. The Council will enter into the appropriate NEC engineering and construction contract with the successful tenderer.

13. The procurement has been carried out in accordance with the Public Contracts Regulations 2015, the Council's Contract Procedure Rules and Procurement Code of Practice.

### **Crime and Disorder Implications**

14. None.

### **Equal Opportunities Implications (to include Welsh Language issues)**

15. The requirements for Equal Opportunities have been set in the tender information and are provided for in works contract clauses.

### **Corporate/Service Objectives**

16. The delivery of the A4226 Five Mile Lane Road Improvement scheme is an objective of the Corporate plan.

### **Policy Framework and Budget**

17. This is a matter for Executive decision by Cabinet.

### **Consultation (including Ward Member Consultation)**

18. The local Ward Members have been consulted and nay comments received will be tabled at the meeting.

### **Relevant Scrutiny Committee**

19. Environment and Regeneration

### **Background Papers**

None

### **Contact Officer**

John Dent - Major Projects Manager

### **Officers Consulted**

Head of Visible Services and Transport.

Head of Finance.

Operational Manager for Property Section.

Operational Manager for Legal- Committee Reports.

Operational Manager for Highways and Engineering.

Operational Manager for Exchequer Services.

### **Responsible Officer:**

Miles Punter - Director of Environment and Housing Services.