

NORTH SOMERSET COUNCIL DECISION

**DECISION OF: THE EXECUTIVE MEMBER FOR STRATEGIC PLANNING,
HIGHWAYS, ECONOMIC DEVELOPMENT AND HOUSING**

WITH ADVICE FROM: THE DIRECTOR OF DEVELOPMENT AND ENVIRONMENT

IN CONSULTATION WITH THE HEAD OF STRATEGIC PROCUREMENT



DECISION NO: 18/19 DE 342

**SUBJECT: WESTON-SUPER-MARE TOWN CENTRE TRANSPORT ENHANCEMENT
SCHEME – CONSTRUCTION PROCUREMENT PLAN**

KEY DECISION: YES

BACKGROUND:

Station Road and Alexandra Parade lie in the heart of the town's regeneration core. Upgrading the area to create a quality, inter-connected public space is an integral part of the wider vision for the town centre's regeneration. There are key but poorly defined multi-modal routes between Weston-super-Mare railway station, the town centre, the seafront and associated bus services. This pivotal enhancement project within the priority regeneration area will:

- Create a proper sense of arrival to the town centre
- facilitate sustainable travel within the town and from emerging areas of economic growth by reducing traffic dominance and improving public realm by strengthening pedestrian links and providing cycle infrastructure to link destinations and existing routes;
- enhance essential public transport facilities including the creation of a high quality bus interchange that will provide a central hub for access and real-time information linked to the Railway Station, which will be a catalyst for modal shift in the town helping to address the range of existing issues discussed above.
- unlock and enable significant employment and residential development;

DECISION:

- It is requested that the procurement plan be approved to proceed.

REASONS:

Introduction

This procurement plan identifies the preferred procurement route to engage suitable contractors for the construction of the highway and public realm improvements required to deliver the Council's ambitions for the town centre regeneration in Station Road, Walliscote Road Regent Street and Alexandra Parade.

A procurement workshop was held in January 2018 and recommended that the works be procured via two contracts reflecting the different complexities of the works in Station Road

and Walliscote Road (known as Phase 1) to those in Alexandra Parade and Regent Street (known as Phase 2).

It is considered that landscaping and infrastructure work should be procured separately.

Commissioning Plan

The scheme was added to the Capital Programme which was approved by the Executive on 6th February 2018, and therefore a separate commissioning plan was not required.

Lessons Learned from previous projects

Phase 1

The transport improvements for Phase 1 will deliver a higher quality urban space using higher than standard quality materials. The layout and techniques required to construct these works are not considered to be significantly different to standard highway construction and it is considered appropriate to use the Council's highways term maintenance contractor.

Phase 2

The transport improvements to Phase 2 are required to deliver a step change in the public realm of this area. This will require a specialist contractor to deliver the scheme so will undergo a competitive tender.

Landscaping

It is proposed that the planting and establishment maintenance of all landscaping for both phases will be procured via separate contracts to the construction works to ensure the on-going health of the trees. The landscape contract would be managed by North Somerset Council Tree Officers.

Requirement

North Somerset Council has been awarded funding by the DfT, LGF and the LEP to construct the transport improvements. The funding has been awarded on the basis that the scheme can secure immediate impacts and be delivered quickly. The funding received requires construction to be complete by the end of financial year 2019/2020. The outline timetable required to achieve delivery in the funding deadlines is discussed in more detail below. The Phase 1 works also includes some re-surfacing of Walliscote Road which is funded from the DfT pothole fund.

The procurement workshop identified that main construction elements of the scheme should be procured in two phases to reflect the different complexities and design programmes for parts of the scheme. Delivery of the works in two phases will allow North Somerset Council to control the impact of the works on the town centre.

The project board has agreed that the landscaping for both phases should be carried out by a landscape contractor appointed separately by Council to ensure that trees are established successfully, and future maintenance reduced.

Traffic signal equipment will be installed through the existing term signal contract to ensure that ongoing maintenance is carried out through the current arrangements.

The North Somerset Council Street Lighting contract has just been re-tendered and therefore may not be available for procurement of lighting for Phase 1 but will be considered for procurement of lighting of phase 2 of the works. North Somerset Council's Street Lighting team will advise whether the new term street lighting contract has mobilised sufficiently to meet the construction programme for the Transport Enhancement Scheme, otherwise the street lighting shall be included in the main construction contract.

The design and specification for each phase of the works will be completed prior to tender. North Somerset Council Highway Design team officers and their designer will develop the design and specification in consultation with the maintaining teams of the Council and obtain approval of the specification and design from the project board.

Main Construction Contract Phase 1

The Phase 1 construction contract will primarily consist of the reconfiguration of Station Road over a length of approximately 350m; between Walliscote Road and the roundabout junction with Francis Fox Road. Works involves the narrowing of carriageway from dual to single carriageway, junction alterations (including removal of mini roundabouts), new zebra & Puffin crossings, drainage alterations, pedestrian enhancements (footway widening and improving the public realm) and landscaping. The works also extend by approximately 50m into Walliscote Grove Road and 140m along Walliscote Road where carriageway re-surfacing, kerbing and road marking works are to be undertaken. The scheme includes, amongst other requirements, the following tasks:

- Site Clearance
- Works to modify and provide new street furniture including bollards, benches,
- Drainage works including drainage channels and new chambers and gullies
- Pavement re-surfacing, full depth construction, raised table and raised carriageway area
- Footway works – widening of existing footways and new paving surface course, vehicle crossovers at third-party accesses
- Road markings and signage including modifications to variable message sign
- Traffic signals upgrading and modification works including a new signalised crossing and adjustment of loops on Francis Fox Road, civil engineering elements
- Street Lighting Works – New street lighting system to suit modified carriageway and footway layout
- Electrical Works – new and adjusted supplies for street lighting, traffic signals and illuminated signs
- Statutory Undertakers works – adjustment of chambers and duct protection works
- Landscaping works – preparatory works for future tree planting (by others) including tree pits and grilles

Main Construction Contract Phase 2

The Phase 2 construction contract will primarily consist of the reconfiguration of carriageways to create a bus interchange, and to maintain access to the streets north of Alexandra Parade as described below:

- Reducing the carriageway width of Alexandra Parade over a length of approximately 250m between Alfred Street and Orchard Place and creating a two way access to Orchard Street;
- Widening the carriageway of Regent Street over a length of approximately 150m to create a bus interchange between Alfred Street and Walliscote road;

- Reducing the carriageway width of Walliscote Road over a length of approximately 100m between Regent Street and Oxford Street to create a bus only link to the interchange;
- Pedestrianisation of Regent Street, west of Walliscote Road;

The scheme includes, amongst other requirements, the following tasks:

- Site Clearance
- Earthworks
- Works to modify and provide new street furniture including bollards, benches,
- Works to provide new bus infrastructure
- Drainage works including drainage channels and new chambers and gullies
- Pavement re-surfacing, full depth construction, raised table and raised carriageway area
- Public open space works – new footways, ramps, low walls, planters and tree pits.
- Road markings and signage including modifications to variable message sign
- Street Lighting Works – New street lighting system to suit modified carriageway and footway layout
- Electrical Works – new and adjusted supplies for street lighting, traffic signals and illuminated signs
- Statutory Undertakers works – adjustment of chambers and duct protection works
- Landscaping works – preparatory works for future tree planting (by others) including tree pits and grilles

Landscaping

The value of the landscape contract to plant and establish the trees is estimated at £20,000 for Phase 1 and £50,000 for Phase 2 which are below the threshold that requires a procurement plan. The appropriate number of written quotations will be obtained to award the landscape contract. This procurement is not discussed in any further detail in this report.

Route to market

Main Construction Contract Phase 1

The programme imposed by the funding conditions is challenging. The time available to prepare the detailed design and specification for the works for phase 1 and to then construct the first phase of the works in advance of the second phase does not allow for an open tender process to be undertaken. The nature of the works, as detailed above, are very much the scope of the Highways Term Maintenance & Schemes contract, as such it is proposed to utilise the Council's Highways Term Maintenance Contractor to procure the constructions works for Phase 1. NEC Option C Target Costing will be used to ensure the best value for money for the Council.

Main Construction Contract Phase 2

It is considered that there is sufficient time available to procure the works for Phase 2 of the Transport Enhancement scheme through an competitive tendering process. Also, the scope of Phase 2 involves creating more public open space than Phase 1 and as such it was considered that a specialist Contractor would be more appropriate.

The proposed contract will provide the Contractor 6 months in which to construct the works.

The contract will be a New Engineering Contract (NEC) Engineering and Construction Contract Option C Target Cost.

The Council will carry out a two stage tender. Given the specialist nature of the works, a pre-qualification stage is important to ensure only bidders with relevant experience tender. We also want to encourage contractors to bid, so a two stage tender will mean that only those who pass the first stage will have to complete the tender stage. A one stage tender would mean that bidders would have to complete the whole tender without knowing if they had passed stage 1 (financial standing, technical and Professional Ability etc).

Timescales

Outline timeline

The current programme required to secure a suitable contractor is shown in the table 1.

Table 1 Construction Programme Phase 1

Activity	Period
Scheme Added to Capital Programme	6 th February 2018
Procurement Workshop	16 th January 2018
Complete Final Design and tender Documents	Jan 2018 to October 2018
Procurement Plan approval by Executive Member/Director/HoP	February 2019
Target Pricing for Phase 1 Construction	November 2018 to January 2019
Evaluate Target Price	February 2019
Construction Award Phase 1	February 2019
Phase 1 Construction Period	March 2019 to September 2019

Table 2 Construction Programme Phase 2

Activity	Period
Scheme Added to Capital Programme	6 th February 2018
Procurement Workshop	16 th January 2018
Procurement Plan approval by Executive Member/Director/HoP	February 2019
Publish Stage 1 of Tender	Early April 2019
Stage 1 Evaluation	Late April 2019
Complete Final Design and tender Documents	May 2019
Publish Tender Stage 2	Early May 2019
Stage 2 Tender Submissions due in	End June 2019
Evaluate Tender Stage 2	July 2019
Construction Contract Award and approval by Director, advised by the s.151 officer and Head of Strategic Procurement	July / August 2019
Construction Period Phase 2	September 2019 to March 2020

Governance

Governance of the Weston-super-Mare Town Centre Transport Enhancement Scheme is provided through a robust structure as defined in the Project Plan and directed by the Senior Responsible Officer (SRO). The design of the works is to be approved by the Town Centre Steering Group and WsM Advisory Group.

Investment Authorisation is required at each phase of the or as a result of scope change (covered in an exception report) impacting or likely to impact upon the project budget. These authorisations can only be provided by the Board.

The contract will be managed by a Principal Engineer of the Project Delivery Team and North Somerset Council Highways. Monthly highlight reports will be produced to report the status of the construction contract to the project delivery team, board and SRO.

The Strategic Procurement Service Lead is the D&E Procurement Manager. Award of the contract will require Director approval advised by the S151 Officer and Head of Strategic Procurement.

Market / Suppliers

A number of local contractors with relevant construction experience and a proven history of successful delivery of construction project for North Somerset Council are aware of the project and have expressed interest in submitting a tender for the phase 2 works.

The opportunity will be advertised via the Council's e-procurement portal to ensure as much competition as possible.

Social Value, Sustainability & VCSE

The contract is of low value and short duration for the construction industry which limits the opportunities to address the council's social value policy within the construction tender. However, the Council has addressed many of the social value outcomes in the design of the works.

The works have been designed by North Somerset Council to deliver improvements to public open space and both public and private transport modes. As such the specification of the works determines that the Council's social value outcomes relating to the promotion of positive environmental impacts, increase health and well being, and development of cultural heritage are met.

North Somerset Council employ numerous apprentices and trainees in the highways department and will use this project to enhance the work experience of these junior staff.

Evaluation

North Somerset Council proposes to take into account both quality and price in the evaluation of the tender for Phase 2 of the works to ensure that bidders have the ability to deliver the works to the standards expected. Quality of the constructed works is ultimately governed by the specification and checked by supervision and audit as the works progress so it is proposed that the priced element will comprise most of the evaluation weighting. The proposed evaluation weightings are 70% Price 30% Quality.

The invitation to tenderer will cover programme, resources, methodology and key people. To ensure bidders with relevant experience are appointed, they will have to give details of

their experience of working in highly sensitive locations and have experience of kerb and paviour works.

Stage 1 will address Relevant Experience. It is expected that successful bidders will be able to provide examples of three contracts and references to demonstrate that they have successfully completed kerb and paviour works in town centre locations that require careful management of traffic and pedestrian flows and access to businesses and properties throughout the works. It is proposed to evaluate this section on a pass/fail basis.

The tender questions will cover: programme, resources, methodology and key people. This will assess whether the bidder has understood the works requirements, developed a plan to a sufficient level to allow a realistic price to be submitted and has the staff available with sufficient experience to ensure that the works are well managed and executed. The response to these questions will be scored in accordance with the scoring matrix below. The works are to be constructed in a highly sensitive location where poor performance by the Contractor would damage the Council's reputation, so where a response to any of the questions is scored as weak or lower then the bid may be discounted.

Score	Classification	Award Criteria
5	Excellent	A response that inspires confidence; specification is fully met and is robustly and clearly demonstrated and evidenced. Full evidence as to how the contract will be fulfilled either by demonstrating past experience or through a clear process of implementation.
4	Good	A response supported by good evidence/examples of the Bidders' relevant ability and/or gives the council a good level of confidence in the Bidders' ability. All requirements are met and evidence is provided to support the answers demonstrating sufficiency, compliance and either actual experience or a process of implementation.
3	Satisfactory	A response that is acceptable and meets the minimum requirement but remains limited and could have been expanded upon.
2	Weak	A response only partially satisfying the requirement with deficiencies apparent. Not supported by sufficient breadth or sufficient quality of evidence/examples and provides the council a limited level of confidence in the Bidders' ability to deliver the specification.
1	Inadequate	A response that has material omissions not supported by sufficient breadth and sufficient quality of evidence/examples. Overall the response provides the council with a very low level of confidence in the Bidders' ability to deliver the specification.
0	Unsatisfactory	No response or response does not provide any relevant information and does not answer the question.

North Somerset Council subject matter experts will evaluate the pass / fail sections of the submissions that relate to Health and Safety, Equality and Diversity legislation and Financial Standing of the bidder. The technical, programme and price elements of the submission will be evaluated by the project delivery team and consultants that have been engaged in preparing the design of the works.

Contract Management

The NEC contract defines two key roles that manage the contract on behalf of the Client, these are the NEC Project Manager and the NEC Supervisor. The NEC Project Manager is responsible for the management of the contract, the NEC supervisor is responsible for checking that the works are constructed in accordance with the contract. It is intended that these roles will be fulfilled by officers of the highways design team with support from a construction management consultant to assist with contractual related queries and a quantity surveyor to assist with financial assessment of compensation events.

The quality of the built works and the provision of testing and certification required to confirm that the quality has been achieved is defined in the specification. It is the responsibility of the NEC Supervisor to check that quality has been achieved. This is undertaken through inspections and audits of testing and quality certificates during construction. The process for accepting completing works and managing substandard works is defined in the construction contract.

The NEC Project Manager will hold weekly meetings with the Contractor as part of the contract management process to ensure contract process are completed and that effective and timely communication is maintained between the parties in accordance with the contract conditions. These meetings will include discussion of works progress against the planned programme, resolution of technical issues arising during the works, risk and financial management and reporting.

A risk register was created at the funding stage of the project. This has been regularly updated as the project has progressed to construction. The NEC Engineering and Construction (ECC) contract includes a mechanism in which all parties are required to raise potential risks to the project during construction that have the potential to delay the works, reduce the quality of the works or increase the price of the works to either party. The risk register is reviewed with the contractor weekly throughout the construction period.

OPTIONS CONSIDERED:

Form of Contract

The construction contract will take the form of the NEC ECC in accordance with construction industry best practice. Within the ECC there are 6 alternative contract models known as Options A to F which define different allocations of risk between the Client (North Somerset Council) and the Contractor. These were considered at the procurement workshop. The workshop recommendation was that Option C target cost would be the most suitable for the delivery of this project as there is ongoing incentive to deliver the works and any changes that may arise at a competitive price.

Number of Contracts

One Work Package Order under the Highways Term Maintenance and Schemes Contract will be issued for construction of Phase 1 and three new contracts will be entered into, one for the construction of Phase 2 works and one for the landscaping works of each Phase.

FINANCIAL IMPLICATIONS:

The scheme is to be constructed within existing public highway and open space that are already maintained by the Council. No additional areas of public highway and open space will be created by the scheme. The scheme will introduce materials of a higher quality than those already present in the public space however the construction of the scheme will offset the need to undertake planned maintenance activities in these areas for the design life of the new construction.

The design of the scheme will be developed in consultation with the maintaining teams of the Council to ensure that the final design can be maintained efficiently whilst delivering the high quality public realm required by the corporate plan to promote economic benefits.

Costs

The estimated costs for the construction contracts are:

Phase 1	
Main Contract TES works	£1,387,500
Main Contract Maintenance works	£100,000
Term Signal Contract Order	£25,000
ITS	£10,000
STATS	£50,000
Total	£1,572,500

Phase 2	
Main Contract	£1,500,000
Term Signal Contract Order	£60,000
ITS	£40,000
Term Lighting Contract	£87,500
STATS	£130,000
Total	£1,817,500

Landscape	
Phase 1	£20,000
Phase 2	£50,000
Total	£70,000

Summary	
Phase 1	£1,572,500
Phase 2	£1,817,500
Landscaping	£70,000
Total	£3,460,000

Funding

The whole scheme cost of the Transport Enhancement Scheme is estimated at £4.45m with 67% awarded from the NPIF and 33% awarded from LGF grant from West of England LEP and Locking Road car park receipt.

There is £200k of funding allocated from the DfT pothole fund for maintenance works included within the contract for Phase 1 of the Transport Scheme.

LEGAL POWERS AND IMPLICATIONS

The works are to be undertaken under the powers of the Highways Act 1980.

In accordance with the Council's duties as a commercial client as defined by the Construction (Design and Management) Regulations 2015, the consultant will be appointed to fulfil the role of Principle Designer.

The procurement route for both phases is compliant with Council Standing Orders. The Phase 2 tender is below the OJEU works threshold.

CONSULTATION

Specific stakeholder and public consultation has formed an integral part of the scheme development process. A communication plan has been developed and is being implemented. NSC has already undertaken consultation on the design and the principles have been widely consulted upon within the Weston-super-Mare Supplementary Planning Document

RISK MANAGEMENT

The bid submission required the development of a Quantified Risk Assessment (QRA) and a risk register proportionate to the nature and complexity of the project. A risk management strategy is also in place which includes monthly review, assess, update and assign requirements.

The QRA has been reviewed at key stages throughout the project development to tender stage. The construction contract includes a mechanism that actively encourages both parties to continually monitor the contract risk throughout construction and jointly resolve any issues to the benefit of the project.

The Weston Town Centre project is a key component of the regeneration programme in Weston. The Joint Investment Board (NSC and HCA) are the responsible body overseeing the development and delivery of the programme. Project specific SRO and Project Manager will be in place to manage the scheme development and implementation.

The risk that too few bidders respond to the procurement has been mitigated by approaching local contractors to ascertain interest in the tender.

A detailed cost estimate for each phase will be made prior to commencing the bid process to confirm that the proposed works are in accordance with the budget restraints however should tendered prices be higher than the estimate then there is an allowance within the QRA risk budget.

There is a funding deadline of March 2020 which is imposed by the LEP funding. It is considered that there is sufficient leeway to spend this funding in the proposed programme.

EQUALITY IMPLICATIONS

The Weston-super-Mare Town Centre Transport Enhancement Scheme is intended to improve accessibility for all sectors of the population through a series of sustainable transport improvements. North Somerset Council applies the preparation and implementation of an Equalities Impact Assessment as part of the scheme design process, and the programme will be focussed upon improving access to jobs, education and services for all sectors of the population. An initial assessment has been carried out, but will be updated during the detailed design process. Given the nature of this scheme the impacts are mainly positive for most groups, although there is a need to ensure the needs of mobility impaired groups are considered during detailed design.

CORPORATE IMPLICATIONS

The scheme is consistent with the core aims of the Joint Local Transport Plan 2011-26 and the Weston Town Centre Supplementary Planning Document, the Weston-super-Mare Town Centre Transport Enhancement Scheme will help to achieve three key themes:

- Stimulating Growth in Enterprise Areas;
- Promoting Connected and Thriving Centres - and;
- Supporting Transitions to Low Carbon Lifestyles

The improvement of the transport network is a key priority in the Corporate Plan. The project will play a significant role in Supporting Economic Prosperity (Aim 5) and Protecting and Improving the Environment (Aim 3).

BACKGROUND PAPERS

- Weston-super-Mare Transport Enhancement Scheme– February 2018 <http://apps.n-somerset.gov.uk/cairo/docs/doc28595.pdf>
- W-s-M Town Centre Regeneration Supplementary Planning Document – February 2017 <http://www.n-somerset.gov.uk/wp-content/uploads/2015/12/Weston-super-Mare-Town-Centre-Regeneration-Supplementary-Planning-Document.pdf>
- Report to the Executive 20 June 2017 "Bid submission to DfT under the national productivity investment fund <http://apps.nsomerset.gov.uk/cairo/docs/doc28131.pdf>
- W-s-M Prospectus for Change – 2015 <http://www.n-somerset.gov.uk/wp-content/uploads/2016/03/Weston-super-Mare-prospectus-for-change-2015.pdf>
- W-s-M Town Centre Spatial Investment Framework – January 2016 <http://www.n-somerset.gov.uk/wp-content/uploads/2016/06/Weston-super-Mare-town-centre-spatial-investment-framework.pdf>
- Report to the Council 14 November 2017 "Highways Term Maintenance Contract"

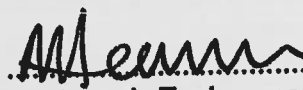
SIGNATORIES:

DECISION MAKER(S):

Signed:  Executive Member for Strategic Planning,
Highways, Economic Development and Housing

Date: 21/2/19

WITH ADVICE FROM:

Signed:  Assistant Director (Placemaking and Growth).
Development and Environment. In accordance with paragraph 1.5 of the Council's
constitution (May 2018), officer authorisations and delegations

Date: 20/2/2019

IN CONSULTATION WITH

The Head of Strategic Procurement