

NORTH SOMERSET COUNCIL DECISION



DECISION OF: COUNCILLOR STEVE BRIDGER, THE EXECUTIVE MEMBER FOR ASSETS AND CAPITAL DELIVERY

WITH ADVICE FROM: THE DIRECTOR OF PLACE AND HEAD OF STRATEGIC PROCUREMENT

DECISION NO: 23/23 DP 377

Note: This is an urgent decision and cannot wait to allow the usual advertising period before the decision is signed. Access to information rules have been followed.

SUBJECT: METROWEST PHASE 1 PROCURMENT PLAN UPDATE

KEY DECISION: NO

REASON: The approval of the plan in itself does not incur expenditure as subsequent contract award decisions will be needed.

BACKGROUND:

MetroWest Phase 1 proposes to upgrade the existing local train service for the Severn Beach Line and the Bath Spa to Bristol Line (Phase 1A) and re-open the Portishead rail line with stations at Portishead and Pill (Phase 1B).

An updated draft Procurement Plan reported to Council on 8th November 2022 and Council agreed to *“delegate authority for the Executive Member for Major Infrastructure Projects advised by the Director of Place and Head of Strategic Procurement, to finalise the Procurement Plan (see appendix 4) in consultation with the West of England Combined Authority (WECA).”*

Following further engagement with the Combined Authority, the Director of Place and the Head of Strategic Procurement, the Procurement Plan has been finalised and now needs to be approved by the Executive Member for Major Infrastructure Projects.

MetroWest Phase 1 had to be paused earlier this year due to the estimated costs exceeding the project budget, due to project delays beyond the control of NSC and the Combined Authority. The project funding gap was resolved in July 2022, with additional funding contributions made by the Department for Transport (DfT), NSC and the Combined Authority. In addition to their increased funding the DfT confirmed in their letter of 19th July 2022 they will also take the delivery risk for the project and will fund project costs up to the submission of the Full Business Case.

DECISION:

To approve the updated Procurement Plan, as attached to this decision notice for professional services and works required to progress the MetroWest Phase 1 project up to

the submission of the Full Business Case. Noting there is a further decision making gateway via the approval of the Full Business Case, before contractual commitments are entered into for the main construction works.

REASONS:

In taking on the project delivery lead, the DfT will channel project funding for work feeding into the Full Business Case (FBC) via Network Rail. Network Rail will in turn contract NSC to deliver the elements within the NSC/WECA project scope. This approach where NSC hosts contracts for the benefit of both NSC and WECA is effectively a continuation of existing arrangements between NSC and WECA. The existing Initial Promotion Agreement ver3 and related Side Agreement between NSC and WECA covers the joint working arrangements between the two parties up to the approval of the FBC. In practice the NSC contracts are managed jointly by the NSC & WECA integrated project team.

The updated Procurement Plan sets out in detail the context for the procurement, the scope of the professional services and works that need to be delivered, the route to market, the timescales, governance arrangements, social value, climate emergency evaluation, contract management and other options considered.

The proposed route to market comprises a combination of, use of the WoE Professional Services framework contract, use of a term maintenance contract, competitive procurements and a direct award contract with Forestry England. The Procurement Plan includes 5 packages, comprising 10 contracts as shown in table 1 below.

Table 1 – Route to market

Package	Description of Works	Route to Market	Reasons for the approach	Duration of contract
Economic appraisal & business case technical support	Economic appraisal compliant with DfT TAG guidance, to produce the Full Business Case (FBC) and wider technical support for the production of the five business case dimensions.	WECA Professional Services Framework (PSF) direct award within the sole supplier threshold.	AECOM have substantial knowledge of the project based on their involvement across the MetroWest programme. To ensure consistency of approach and efficiency, AECOM should be commissioned via WECA PSF, within the direct award threshold of £50k.	Sept 2023 to Aug 2024 (12 months)
Ecology & Landscape Planting	Phase A - Ecology enabling works on the dis-used line including phased vegetation clearance, tree felling, erecting reptile fences ahead of translocating and displacing protected species.	Parks & Open Spaces Term Maintenance contract (Glendale)	The term maintenance contractor quotes for each job. The experience to date has been positive and the contractor has been responsive. The current contract has sufficient headroom to accommodate this variation.	Nov 2022 to June 2023 (8 months)
	Phase B - Ecology enabling works on the dis-used line, including but not limited to, tree felling, badger mitigation, vegetation clearance & maintenance of ecological mitigation (such as reptile fencing).	Parks & Open Spaces Term Maintenance contract (Glendale)	The term maintenance contractor quotes for each job. The experience to date has been positive and the contractor has been responsive. The current contract has sufficient headroom to accommodate this variation.	July 2023 to June 2024 (12 months)

	Phase C - Ecology enabling works remaining on the dis-used line and operational line, including but not limited to, phased vegetation clearance, tree felling, erecting newt / reptile fences ahead of translocating and displacing protected species.	Open Competitive procurement or use of a Network Rail framework if available	Some of these works are on the operational railway and only Network Rail approved contractors can undertake these works. Glendale are not currently an NR approved contractor.	July 2024 to June 2025 (12 months)
	Ecological compensation works at Leigh Woods as defined by Package 2 of the Habitat Regulation Assessment.	The Forestry Commission (Forestry England) direct award in connection with land option agreement	These works are to be undertaken on Forestry Commission land and MetroWest has entered into a wide-ranging option agreement including provision for Forestry Commission to undertake these very sensitive ecological works, within close proximity of the site to the Avon Gorge SAC and very rare flora.	April 2023 to Sept 2026 (39 months)
Highways & Bridges	External resource to support with the preparation of Invitation to Tender for Highways and Bridges.	WECA Professional Services Framework (PSF) Mini Competition	This support can be provided by any of the three contractors on the PSF	May 2023 to Oct 2023 (6 months)
	External resource required for Employer's Agent role for design and build works to highways and bridges	WECA Professional Services Framework (PSF) Mini Competition	This support can be provided by any of the three contractors on the PSF	July 2024 to Nov 2025 (16 months)
Bridges	Construction works to four road over rail entailing defect rectification and vehicle restraint works.	Open competitive procurement	Procurement will use NEC4 Engineering & construction Contract	July 2024 to Nov 2025 (16 months)
Highways & Drainage	Hardware and software (MOVA) upgrade to the signals of the Ashton Vale Road and Winterstoke Road junction in Bristol.	Bristol City Council Traffic Signals Team via s278 (of the Highways Act 1980) agreement already entered into.	This is a highly specialised hardware and software upgrade, which the Bristol City Council Traffic Signals Team will lead and deliver as the asset owner, under a s278 agreement.	July 2024 to Aug 2025 (13 months)
	Detailed design & construction of: a) extension to the left turn lane from Winterstoke Road into Ashton Vale Road, Bristol, b) improvements to bus stops on Lodway/ Heywood Road (Memorial Club) Pill, c) highway drainage at Underbanks and Avon Road, Pill, and	Open Competitive procurement – two stage design & build contract	These highway works are packaged together as this will be more efficient to procure and manage. Procurement will use NEC4 Engineering & construction contract	July 2024 to Aug 2025 (13 months)

	d) extension to footway on Station Road and associated improvements between Monmouth Road and Pill station forecourt on Station Road.			
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OPTIONS CONSIDERED:

There are no other practical options given the wider project context where the DfT are now taking the project delivery lead and are funding all project costs up to the submission of the Full Business Case. The proposed approach has been identified based on the following key reasons:

- Continuation of the existing proven contractual/ financial liability arrangements between NSC and CA
- The vast majority of pre-FBC scope is to be delivered by existing NSC suppliers
- Option reduces the number of new contractual agreements and necessitates the smallest overall number of contractual agreements between all parties
- Single and clear lines of contractual and financial management
- The strategy is supported by existing agreements between NSC and CA.

The rationale for the route to market for each work package summarised in the above table and further information is set out in the attached Procurement Plan. The Highways Term Maintenance Contract has been considered as an option for the delivery of the highway works, however the expertise does not exist in this contract to deliver the complexities of the structural works to the bridges and while the other highway elements are standard highway works, the main part of the works are within Bristol City Council on a key transport link at Winterstoke road and as such the ability to assess and select a quality contractor is critical. We have packaged the highway works together as this will be more efficient to procure and manage.

FINANCIAL IMPLICATIONS:

Costs

The estimated contract value for the work up to the submission of the Full Business Case is £0.795m, as set out in the Procurement Plan. The total estimated contract value including the construction works (post Full Business Case approval) is £4.009m.

Funding

As set out in the report to Council of 8th November 2022, the DfT will meet all project costs up to the submission of the Full Business Case, up to a maximum of £13.80m. The NSC & Combined Authority project scope up to the Full Business Case is estimated at £3.49m, with the remaining £10.31m comprising the estimated cost of Network Rail’s scope up to Full Business Case. The cost centres relating to the project contracts are KDT501 to KDT511.

LEGAL POWERS AND IMPLICATIONS

The Development Consent Order has a range of legal implications which are set out in detail in the report to Council at its meeting of 25th June 2019.

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

The project team will be working with the contractors to ensuring efficient supply chains, maximising the use of both sustainable materials and renewables including primary sourcing of power.

The outcomes that can be secured from all parties working collaboratively towards a common goal of carbon reduction include:

- Reduced carbon, reduced cost of infrastructure;
- Promotion of innovation delivering wider society and community benefits;
- Contribute to tackling climate change;
- More sustainable solutions providing a blueprint for future projects;
- Identification of carbon offsetting to mitigate capital carbon created.

CONSULTATION

Extensive public consultation has been undertaken over several years on the project proposals. The response to the consultations was very high with almost 2,000 separate responses received over both stages and the level of support for the scheme is also very high with 95% of community respondents fully or mainly in support of the proposals. Further information on the project consultation is set out in the DCO Consultation Report which is a DCO application document and is available from:

<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/portisheadbranch-line-metrowest-phase-1/?ipcsection=docs>

RISK MANAGEMENT

The project risk profile for NSC and WECA has reduced substantially since the DfT confirmed in its letter of 19th July 2022 that it will take the project delivery risk in relation the capital investment. That being said, there remains a number of key project risks which need to be carefully managed through this next phase of work culminating with the submission of the FBC to the DfT. The key project risks are set out in section 8 of the report to Council of 8th November 2022.

A full risk register is in place for the project and is reported regularly to the MetroWest Phase 1 Board. Project risks are under continual review by the project team, sponsors and the S151 officers.

EQUALITY IMPLICATIONS

Have you undertaken an Equality Impact Assessment? Yes / No

Yes, an EIA has been completed for wider MetroWest Phase 1B project.

CORPORATE IMPLICATIONS

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). There are no specific cross-service implications.

APPENDICES

MetroWest Phase 1 Procurement Plan December 2022

BACKGROUND PAPERS

Report to Council 8th November 2022 - MetroWest Phase 1 Update – governance and funding agreements

SIGNATORIES:

DECISION MAKER(S):



Signed:

Executive Member for Assets and Capital Delivery

Date: 20 January 2023

WITH ADVICE FROM:

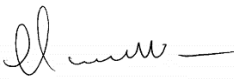


Signed:

Assistant Director Placemaking and Growth

Date: 19 December 2022

and



Signed:

Head of Strategic Procurement

Date: 19 December 2022