

Forward Plan reference number: (if applicable)

Report title: Procurement of Bus Infrastructure Supplier (Flags, Poles and Timetable Frames)	
Report to: Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure.	
Report author: Helen Morris, Head of IPTU	
Date:	For: Decision
Enquiries to: Rachael Price, Lead for Commercial Operations, IPTU Rachael.price@essex.gov.uk	
County Divisions affected: All Essex	

1. Purpose of Report

- 1.1 To seek approval to procure the supply, installation and maintenance of bus infrastructure (flags, poles and timetable frames) for Essex County Council (ECC). The proposed duration of the contract is 5 years with effect from 1 July 2020, with a value of £1m.

2. Recommendations

- 2.1 To agree to go out to the market to procure a provider for the supply, installation and maintenance of bus infrastructure for a 5-year term
- 2.2 To agree to delegate to the Executive Director for Place and Public Health to award the contract to the successful bidder following of the procurement process.

3. Summary of issue

- 3.1 ECC currently provides flags, poles and timetable frames in order to support the local bus network in Essex (Bus Infrastructure) via the contract between ECC and Ringway Jacobs. This is in line with the following ECC Strategic Priorities:
- Enable more vulnerable adults to live independent of social care
 - Improve the health of people in Essex
 - Help to secure stronger, safer and more neighbourly communities
 - Help to secure sustainable development and protect the environment
 - Facilitate growing communities and new homes.
- 3.2 The local bus infrastructure network in Essex currently supports over 43 million passenger journeys a year and ECC has a duty to provide road-side information under the Transport Act 2000. The Bus Infrastructure is required to enable provision of bus service information for passengers. In addition, ECC has provided Bus Infrastructure since the privatisation and deregulation of the

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bus services in 1985 and there is a public expectation that the provision of this infrastructure will continue.

- 3.3 This decision will also help to deliver ECC's priorities as detailed within in the Getting Around in Essex Strategy, 2017 and to meet the requirements of the public sector duty (as contained within the Equality Act 2010). ECC has a statutory responsibility to provide the bus timetable information. This information is displayed in timetable frames at bus stops marked with a pole and flag. Figures from Passenger Focus, a national independent body focusing on transport user, show that 51% of bus users have no choice. They do not have access to a car or are unable to drive and a disproportionate number of bus passengers are disabled or elderly. Providing the roadside infrastructure to support the publication of bus service timetable information for passengers enables people to plan and travel more easily and with greater confidence.
- 3.4 The present arrangement for the supply and installation of Bus Infrastructure is through ECC's existing contract with Ringway Jacobs. The contract for provision of supply, installation and maintenance of bus infrastructure is between Ringway Jacobs and its supply chain. The Infrastructure Team who manage Bus Infrastructure have been relocated from Ringway Jacobs and are now based within ECC. The current arrangements for provision of the services between Ringway Jacobs and its supplier will expire on the 31 March 2020 and ECC will now need to procure a new contract with its own supplier.

Procurement

- 3.4 ECC proposes to run an OJEU compliant, single stage open procurement to award a contract for the supply and installation and maintenance of bus stop infrastructure. The open process has been selected due to the limited number suppliers in the market and to meet the required timescales.
- 3.5 The proposed procurement process is anticipated to commence in February 2020 with bids to be received in April 2020. It is intended that the contract will be awarded in June 2020 in order for the service to commence on 1 July 2020. In the absence of an alternative provision, there would be a gap in service. A supplier is needed for this period to cover emergency works, such as making safe a site following a road traffic collision.
- 3.6 Approval to award a contract to the current supplier to supply and maintain Bus Infrastructure between 31 March 2020 and the commencement of the new contract on 1 July 2020 has been obtained in accordance with ECC's procurement waiver process therefore avoiding any gap in service provision.
- 3.7 It is recommended that the evaluation criteria used for this procurement is 70% price and 30% quality, as the specification clearly defines the requirements of the contract and there is little differentiation between the products required. Within the 30% quality element of the tender there will be a Social Value assessment broadly covering areas such as, spend within the local economy, improved employability and skills, volunteering and the circular economy. (This is will equate to 15% of the 30% quality).

- 3.8 Following the successful completion of the procurement process, the Executive Director for Place and Public Health will award the contract to the successful bidder.

4. Options

Procure Bus Infrastructure Supply, Installation and Maintenance Service

- 4.1 ECC bus infrastructure (flags, poles and timetable frames) can be purchased and installed. The contract will provide ECC with the best value for money, as demonstrated through the tender, and the residents of Essex will continue to have access to road side bus information.

- 4.2 This is the recommended approach.

Do nothing

- 4.3 ECC will no longer be able to purchase and install Bus Infrastructure through the Ringway Jacobs contract as the contract between Ringway Jacobs and its suppliers has come to an end and the team that manages the supply, installation and maintenance of bus infrastructure has moved back in-house at ECC. Residents would not have any new bus stops marked with a flag and pole or current ones would not be replaced as part of the maintenance / replacement program. There would also be no means of displaying bus transport information on the roadside. The authority has a statutory responsibility to provide roadside information: installing flags and poles gives the infrastructure to display the information.

Continue to instruct Ringway Jacobs to lead on bus infrastructure works

- 4.4 The Infrastructure Team who previously carried out this work now sits within ECC so there is no longer staff with the expertise sitting within Ringway Jacobs

5. Next steps

Following approval, ECC will commence the procurement of a single provider for its roadside bus infrastructure (flags, poles and timetable frames) in order to ensure that the contract is in place by July 2020.

6. Issues for consideration

6.1 Financial implications

- 6.2 The proposed contract will allow ECC to use a single provider for the supply, installation and maintenance of flags, poles and timetable frames. The contract will be over 5 years, with a maximum spend of £1m, split evenly over the contract term. This replaces the existing arrangement, whereby works are met through the Ringway Jacobs contract.

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- 6.3 The contract and budget profile are set out in the table below, please note the revenue budget has not been set beyond 2020/21 and the capital budget figures are aspirational from 2021/22 onwards. The bus infrastructure budget provides for both bus shelter and other bus infrastructure (flags, poles and timetables), as such the entirety of the budget stated below is not available for the flag, poles and timetables contract and will be carefully managed by the service.

	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Total
	£	£	£	£	£	£	£
Contract Profile*	150,000	200,000	200,000	200,000	200,000	50,000	1,000,000
Budget allocation:							
Capital	250,000	250,000	250,000				
Revenue	153,000	153,000	153,000				
Total	403,000	403,000	403,000				

*Contract to start 1 July 2020 and end 30 June 2025

- 6.4 In addition to business as usual, works funded by s106 and Local Highways Panel, relating to flags, poles and timetables have been completed. In recent years this had resulted in additional £34,000 of capital works (based on a 3-year average between 2016/17 to 2018/19). It is anticipated that this will continue, therefore the value of the contract factors in this anticipated spend.
- 6.5 The wider capital budget of £250,000 in years 2020/21 to 2022/23 funds planned works on bus infrastructure. Between 2016/17 and 2018/19 the average annual capital spend on flags, poles and timetables was £73,000.
- 6.6 The wider revenue budget of £153,000 in years 2020/21 to 2022/23 funds responsive maintenance, therefore, the quantum of future maintenance is not known. Analysis of the average expenditure over a 3-year period indicates that the proposed framework provides sufficient scope for future work, subject to sufficient budget in future years. Between 2016/17 and 2018/19 the average annual revenue spend is £119,000.
- 6.7 The total capital cost is included in the current and future years capital programme and the revenue implications, including the cost of borrowing, are included in the MTRS. These budgetary levels are expected to be maintained in 2020/21 to 2022/23, the MTRS does not extend beyond this point.

6.2 Legal implications

- 6.2.1 ECC is a contracting authority for the purposes of the Public Contract Regulations 2015 ("the PCR 2015). The value of the proposed contract is above the financial threshold for services (currently set at £189 330). The procurement of these services must be undertaken in accordance with the PCR 2015.

7. Equality and Diversity implications

- 7.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 7.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 7.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

8. List of appendices

Equality Impact Assessment

9. List of Background papers

Getting Around in Essex Strategy, 2017

I approve the above recommendations set out above for the reasons set out in the report.	Date
Councillor Kevin Bentley, Deputy Leader and Cabinet Member for Infrastructure.	18.03.2020

In consultation with:

Role	Date
Executive Director for Place and Public Health	
Mark Carroll	11.03.2020
Executive Director for Corporate and Customer Services (\$151 Officer)	
Stephanie Mitchener on behalf of Nicole Wood	06.03.2020
Director, Legal and Assurance (Monitoring Officer)	
Laura Edwards on behalf of Paul Turner	18.02.2020