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NON-KEY DECISION TAKEN BY THE STRATEGIC MANAGER – MAJOR PROGRAMMES

Decision title: Authority to commence procurement for services in connection with a Travel Behaviour Change and Road Safety Training and Awareness Programme associated with the Hinkley Point C development

Officer making decision: Andy Coupe, Acting Strategic Manager – Major Programmes

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Date of Decision: 6 March 2017

Details of the decision:

That the Strategic Manager – Major Programmes approves the commencement of a procurement process in respect of the delivery of an integrated Travel Behaviour Change and Road Safety Training and Awareness Programme in connection with the Hinkley Point C development.

Reasons for the decision:

To enable a mechanism for the delivery of an integrated Travel Behaviour Change and Road Safety Training and Awareness Programme in connection with the Hinkley Point C project, and ensure a compliant process for provision of these services which also represents value for money.

Background to the decision:

EDF Energy submitted its Development Consent Order (DCO) application in relation to its proposed nuclear power station at Hinkley Point C (HPC) in October 2011. With the benefit of additional measures that were submitted by EDF Energy to the Examining Authority in early August 2012, the County Council concluded that the HPC Project would be acceptable when considered against relevant policy and all other material considerations, and that the adverse impacts of the development would not outweigh its benefits. On this basis, the County Council entered into a Deed of Development Consent Obligations (S106 agreement).

On 18 March 2013 the Leader of the Council and Cabinet Member for Economic Development, Infrastructure and Innovation

- (1) approved expenditure of the contributions to Somerset County Council within the Hinkley Point C Site Preparation Works and Development Consent Order Section 106 Agreements in accordance with the terms of the Agreements and the spending intentions that were set out in the Local Impact Report and accompanying topic papers;
- (2) delegated authority to the Strategic Commissioning Manager – Major Programmes to commission delivery of all the financial contributions set out at (1) above, after consultation with the relevant Cabinet Member.

The following contributions in particular are included in the DCO S106 agreement to deal with the transport impacts of the project:

- £1.6m to undertake travel behaviour activities to support a reduction in traffic in Bridgwater and along affected corridors
- £5.16m for Bridgwater Safety and Capacity Works
- £3.175m for walking and cycling infrastructure along corridors throughout Bridgwater and surrounding area
- £500,000 as a contingency to deal with any unforeseen issues which arise in connection with traffic management and/ or parking control with the intention of limiting unauthorised parking, deterring rat running and maintaining traffic flow

A package of workstreams has been developed as follows:

- Corridor Improvement Schemes - road safety improvement measures, and walking and cycling infrastructure along corridors throughout Bridgwater and surrounding areas
- An integrated Travel Behaviour Change and Road Safety Training and Awareness Programme

The workstreams will be procured separately but they will need to complement and have regard to each other in order to

- Deal with road safety risks, in particular for non-motorised users including particular pedestrians and cyclists
- Maximise the opportunities for managing travel, in particular to encourage modal shift through increased walking and cycling
- Achieve reliability and consistency of journey times across the HPC HGV corridors during construction of HPC

A significant proportion of the contribution for Bridgwater Safety and Capacity Works will be used for strategic capacity improvements within the town but a small proportion will be allocated to undertake driver awareness training and road safety education campaigns. Together with the contribution of £1.6m to undertake travel behaviour activities, these contributions will comprise the funding to deliver the integrated Travel Behaviour Change and Road Safety Training and Awareness Programme

SCC has already commissioned and procured independent specialist support for the project to provide an independent means of assuring, reviewing and informing the project. The solution could have taken the form of a key individual or a more team based wider approach in order to draw upon a wide understanding of best practice and the latest academic literature and thinking to support:

- Advice on procurement
- Support in tender evaluation
- Formal project gateway reviews
- As well as miscellaneous support of the project

A company called ITP have been appointed into this role and have already provided some good advice into the procurement approach.

SCC has an existing framework agreement for the Provision of Conceptual Design and Development of Non-Engineered Solutions in Travel & Transportation 2015- 2019. This framework delivers similar activities as it is envisaged that SCC will require under work stream two.

However it is not being pursued as an option for work stream two for the following reasons:

- The framework delivers a solution rather than stakeholder orientated approach which does not align with the strategy set out below
- The OJEU thresholds against specific lots are reaching their limits

Suppliers will be informed in advance that we will not be looking to utilise the framework, which will be sent as an update via the market engagement event put on pro-contract.

Commercial Approach

Contract structure

- A multi lot framework agreement consisting of four lots covering particular stakeholder groups – business, community, education and tourism.
- There will be three to four suppliers on each lot.
- Mini-competitions will be run over the life of the framework to appoint suppliers at different stages to deliver different solutions.
- Call-offs will carry specific clauses such that activities can be stopped or undergo minor amendments to take into account any findings or assessment.

The tender process

- The tender to qualify onto the Framework will primarily be looking to assess the capability of suppliers to come up with and deliver specific solutions rather than holding suppliers to solutions bid at tender stage.
- Suppliers will provide proposed solutions as part of the quality evaluation but also will be assessed on their methodology and approach for reaching the solutions they are proposing this second part around how they will reach solutions will be captured as part of the contract.
- An OJEU compliant procurement process is being employed given the financial thresholds as detailed in the table below. Though the framework is being procured primarily to deliver the HPC related programme, the County Council may also use the framework to procure any other travel demand projects and programmes that it may wish to deliver. The contract will also be made available to members of the South West Highways Alliance.

Lot	Title	Value
1	Business	£2,500,000.00 (initial project circa. £900,000.00)
2	Local Community	£2,500,000.00 (initial project circa. £600,000.00)
3	Education	£3,000,000.00 (initial project circa. £900,000.00)
4	Tourism	£2,000,000.00 (initial project circa. £300,000.00)

The key dates for this procurement process are currently anticipated to be as follows:

Issue Tender Documents	3 rd March 2017
Deadline for the receipt of clarifications/ queries from Suppliers	3 rd April 2017
The deadline for receipt of Tenders	10 th April 2017
Completion of Evaluation	8 th May 2017
Cabinet Decision	7 th June 2017

Alcatel	8 th June – 19 th June	
Contract commences	20 th June 2017	

Members consulted; members informed :	Yes
<p>The Cabinet Member for Business, Inward Investment and Policy and the Cabinet Member for Highways and Transport are being consulted as part of the decision process and the Opposition Spokesperson and Chairman of Scrutiny Policies and Places Committee are being informed.</p>	
Officer consultations completed:	Yes
<p>The Lead Commissioner for Economic and Community Infrastructure is being consulted as part of the decision process, together with the County Solicitor, Monitoring Officer, Corporate Finance and Human Resources.</p> <p>The procurement model and detailed documentation have been developed in partnership with officers of the Highways and Transport Commissioning Team and the Commercial and Procurement Team.</p>	
Senior (including statutory) officer sign off completed	
Not necessary – decision can be made at strategic manager level.	
Public / other consultations undertaken	Yes
<p>The Strategic Manager – Major Programmes has delegated authority to commission delivery of all the Hinkley Point C S106 financial contributions after consultation with the relevant Cabinet Member.</p> <p>The assessment of HPC construction traffic impacts and the associated package of proposed improvements were the subject of extensive public scrutiny through the examination of the Hinkley Point C Development Consent Order by the Planning Inspectorate. The joint Council's Local Impact Report and associated topic papers are also a matter of public record.</p> <p>In depth data analysis has been undertaken during the last year to explore the challenges and opportunities that the integrated Travel Behaviour Change and Road Safety Training and Awareness Programme will need to address. The outcomes of this analysis have helped to inform the development of programme objectives and deliverables for the Programme. This exercise has been undertaken in consultation with EDF Energy and Sedgemoor District Council, and was presented/ discussed at an engagement event in June with those suppliers that are on the framework contract for Conceptual Design and Development of Non-Engineered Solutions in Travel & Transportation.</p> <p>The procurement model and detailed documentation have been developed in partnership with officers of the Highways and Transport Commissioning Team and the Commercial and Procurement Team.</p>	
Financial, Legal, HR, Risk, Due regard implications considered	Yes
<p>Contributions have been secured within the HPC Development Consent Order Section 106 Agreement that enable delivery and spend to be commissioned without financial impacts falling on the County Council.</p>	

The financial, legal, HR and risk implications have been considered through the selection of the procurement model and the evaluation process, and will be addressed through the conditions of contract. Legal advice will be sought at appropriate stages in order to protect the Council's interests.

A client side structure to support the delivery of both the Corridor Improvement Schemes and the integrated Travel Behaviour Change and Road Safety Training and Awareness Campaign Programme is being developed to ensure resources are in place such that the contracts are actively and appropriately managed, that the Council is able to discharge its duties effectively, and value for money is achieved.

Due regard for impacts associated with equality and diversity and relevant human rights has been considered during the pre-application consultation phase of the HPC proposal. Each stage of consultation was assessed by Somerset County Council in terms of legal requirements and recommended guidance. After detailed consideration by the Councils directly affected by the Applicant's development and, following formal assessment (known as the assessment of Adequacy of Consultation), it was the Council's view that the consultations met the legal duties required by Sections 42, 47 and 48 of the Planning Act 2008 (as amended).

The programme arises from the need to mitigate the construction traffic impacts associated with the HPC project. These impacts relate primarily to safety, network capacity, and severance. Due regard implications of any activities will be considered through the assessment of the responses the tendering process and at the contract letting stage.

No other due regard implications have been defined as a result of the decision to commence the procurement process.

Background papers:

- Key Decision on 25 March 2013 regarding the contributions to Somerset County Council within the Hinkley Point C Site Preparation Works and Development Consent Order Section 106 Agreements
- Non-Key Decision Report by Strategic Manager – Major Programmes on 3 August 2016 - Authority to commence procurement for services in connection with a Travel Behaviour Change and Road Safety Training and Awareness Programme associated with the Hinkley Point C development
- Non-Key Decision on 2 December by the Director of Commissioning and Lead Commissioner for Economic and Community Infrastructure Hinkley Point C – Authority to appoint a supplier for assurance services in connection with a Travel Behaviour Change and Road Safety Training and Awareness Programme

The below has been completed:	Name(s)	Date
Relevant local County Councillors consulted where decision directly affects their Division	N/A	N/A
Relevant Cabinet Member(s) consulted (if applicable)	David Hall David Fothergill	28/2/17 3/3/17
Opposition Spokesperson informed (if applicable)	Simon Coles	2/3/17

Chairman of relevant Scrutiny informed (if applicable)	Tony Lock	2/3/17
County Solicitor	Kathryn Tebbey	1/3/17
Monitoring Officer	Scott Wooldridge	2/3/17
Corporate Finance	Kevin Nacey	6/3/17
Human Resources	Chris Squire	28/2/17
Property / Procurement / ICT	Richard Williams	consulted 24/2/17
Senior Manager	Paula Hewitt	28/2/17

Decision Maker

I am aware of the details of this decision, have considered the reasons, options, representations and consultation responses (where applicable) and give my approval / agreement to its implementation.

Signed:

**Name: Andy Coupe
Post: Strategic Manager (Major Programmes)
Date: 6 March 2017**